

# **ATTACHMENT 2**

HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

1

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: PROCESSED EGG PRODUCTS )  
ANTITRUST LITIGATION )  
 ) MDL No. 2002  
 ) 08-md-02002  
 ) HIGHLY  
THIS DOCUMENT RELATES TO: ) CONFIDENTIAL  
Kraft Foods Global, Inc., et al., )  
v. United Egg Producers, Inc., )  
et al., No. 2:12-cv-00088-GP )

The highly confidential  
videotaped discovery deposition of  
CURTIS MILES AMUNDSON, PhD, taken in the  
above-entitled cause, before Deralyn Gordon, a  
notary public of Cook County, Illinois, on the  
3rd day of April, 2014, at 353 North Clark Street,  
Chicago, Illinois, beginning at approximately  
8:48 a.m., pursuant to Notice.

REPORTED BY: DERALYN GORDON, CSR, RPR, CRR  
LICENSE NO: 084-003957

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Amundson, Curtis Miles

April 3, 2014

2 (Pages 2 to 5)

2	4
<p>1 PRESENT:</p> <p>2</p> <p>3 JENNER &amp; BLOCK LLP</p> <p>4 BY RICHARD CAMPBELL, ESQ., and</p> <p>5 SARAH S. ANSARI, ESQ.,</p> <p>6 353 North Clark Street</p> <p>7 Chicago, Illinois 60654</p> <p>8 (312) 222-9350</p> <p>9 campbell@jenner.com</p> <p>10 sansari@jenner.com</p> <p>11 appeared on behalf of Kraft Foods</p> <p>12 Global, Inc.;</p> <p>13</p> <p>14 CROWELL MORING</p> <p>15 BY KATHLEEN M. CLAIR, ESQ.,</p> <p>16 1001 Pennsylvania Avenue, NW</p> <p>17 Washington, DC 20004</p> <p>18 (202) 624-2951</p> <p>19 kclair@crowell.com</p> <p>20 appeared on behalf of</p> <p>21 Daybreak Foods, Inc.;</p> <p>22</p> <p>23 ALSO PRESENT:</p> <p>24 Mr. Stephan Hoog, Videographer.</p> <p>25</p>	<p>1 INDEX</p> <p>2 VOLUME I</p> <p>3 HIGHLY CONFIDENTIAL</p> <p>4</p> <p>5 Thursday, April 3, 2014</p> <p>6</p> <p>7 WITNESS EXAMINATION</p> <p>8 CURTIS MILES AMUNDSON, PhD</p> <p>9 By Ms. Clair 8, 98</p> <p>10 By Mr. Monica 91, 99</p> <p>11 By Ms. Ansari 93</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16 DEPOSITION EXHIBITS</p> <p>17 CURTIS MILES AMUNDSON, PhD</p> <p>18</p> <p>19 NUMBER DESCRIPTION IDENTIFIED</p> <p>20 Exhibit 1 Draft Animal Welfare Policy and 19</p> <p>Program Recommendation April 2006</p> <p>21 Bates KRA00000019 - KRA00000039</p> <p>22 Exhibit 2 Draft Animal Welfare Task Force 21</p> <p>Charter January 2004</p> <p>23 Bates KRA00014698</p> <p>24 Exhibit 3 Draft Animal Welfare Task Force 26</p> <p>Charter April 28, 2005</p> <p>25 Bates KRA00025493</p>
3	5
<p>1 PRESENT TELEPHONICALLY:</p> <p>2</p> <p>3 PORTER WRIGHT MORRIS &amp; ARTHUR, LLP</p> <p>4 BY JOHN MONICA, ESQ.,</p> <p>5 1919 Pennsylvania Avenue, NW, Suite 500</p> <p>6 Washington DC 20069</p> <p>7 (202) 778-3000</p> <p>8 jmonica@porterwright.com</p> <p>9 appeared on behalf of Rose Acre</p> <p>10 Farms;</p> <p>11</p> <p>12 STINSON LEONARD STREET LLP</p> <p>13 BY SHARON R. MARKOWITZ, ESQ.,</p> <p>14 150 South Fifth Street, Suite 2300</p> <p>15 Minneapolis, Minnesota 55402</p> <p>16 (612) 335-1974</p> <p>17 sharon.markowitz@stinsonleonard.com</p> <p>18 appeared on behalf of Michael Foods.</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 DEPOSITION EXHIBITS</p> <p>2 CURTIS MILES AMUNDSON, PhD</p> <p>3</p> <p>4 NUMBER DESCRIPTION IDENTIFIED</p> <p>5 Exhibit 4 Animal Welfare Task Force 27</p> <p>Charter May 2, 2005</p> <p>6 Bates KRA00014700 - KRA00014701</p> <p>7 Exhibit 5 Email from Claire Regan to 32</p> <p>Curtis Amundson dated 5/23/05</p> <p>8 Bates KRA00049798</p> <p>9 Exhibit 6 Animal Welfare Task Force 35</p> <p>June 1, 2005, Meeting Summary</p> <p>10 and Follow Ups</p> <p>Bates KRA00049819 - KRA00049820</p> <p>11</p> <p>12 Exhibit 7 Animal Welfare Task Force 37</p> <p>August 24, 2005 Meeting Summary</p> <p>&amp; Follow Ups</p> <p>13 Bates KRA00014673 - KRA00014676</p> <p>14 Exhibit 8 Animal Welfare Task Force 40</p> <p>December 8, 2005, Meeting Summary</p> <p>&amp; Follow Ups</p> <p>15 Bates KRA00014916 - KRA00014918</p> <p>16</p> <p>17 Exhibit 9 Email, Subject: Animal Welfare 44</p> <p>Presentation, start 4/24/06</p> <p>Bates KRA00000018 - KRA00000039</p> <p>18</p> <p>19 Exhibit 10 Kraft Animal Welfare Policy 51</p> <p>Bates KRA00014791 - KRA00014794</p> <p>20 Exhibit 11 Kraft Approved Animal Welfare 56</p> <p>3rd Party Auditors</p> <p>21 Bates KRA00014900</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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Amundson, Curtis Miles

April 3, 2014

3 (Pages 6 to 9)

<p style="text-align: right;">6</p> <p>1 DEPOSITION EXHIBITS 2 CURTIS MILES AMUNDSON, PhD 3 4 NUMBER DESCRIPTION IDENTIFIED 5 Exhibit 12 Email from Amundson to Jose Rojo 57 6 dated 1/20/05 7 Bates KRA00027934 8 Exhibit 13 Email from Greg Hinton to 60 9 Curtis Amundson dated 5/31/05 10 Bates KRA00027999 11 Exhibit 14 Letter from Bryan Hendrix to 63 12 Curtis Amundson 13 Bates KRA00049855 - KRA00049858 14 Exhibit 15 Oscar Mayer Animal Well-Being 66 15 October 19, 2004 16 Bates KRA00004845 - KRA00004936 17 Exhibit 16 Status FMI-NCCR Animal Welfare 72 18 Guidelines Updated May 2005 19 Bates KRA00049658 20 Exhibit 17 Letter from Charles Link to 75 21 Whom It May Concern 22 Bates KRA00026002 - KRA00026003 23 Exhibit 18 Email, Subject: Prep meeting 77 24 dated 5/8/07 25 Bates KRA00000040 - KRA00000094 Bates KRA000000949 - KRA000000950</p>	<p style="text-align: right;">8</p> <p>1 (Whereupon the witness was 2 sworn.) 3 CURTIS MILES AMUNDSON, PhD, 4 called as a witness herein, having been first duly 5 sworn, was examined and testified as follows: 6 EXAMINATION 7 BY MS. CLAIR: 8 Q. Good morning, Mr. Amundson. 9 A. <b>Good morning.</b> 10 Q. Have you ever been deposed before? 11 A. <b>No, I have not.</b> 12 Q. Okay. So we'll go over just a few ground 13 rules, procedural matters. 14 You'll see there's a court reporter 15 here and a videographer. They're making a record. 16 Your testimony today is under oath and in some 17 circumstances could be used at trial. 18 Because the court reporter has to write 19 everything down, it's best if we try not to talk 20 over one another, and it's best to remember to 21 respond verbally, rather than nodding or saying 22 uh-huh or uh-huh, all of those things. 23 If you ever don't understand a question, 24 just let me know, I'll clarify. And if you ever 25 need to take a break, just say so. You're in</p>
<p style="text-align: right;">7</p> <p>1 THE VIDEOGRAPHER: This is Steven Hoog 2 representing Henderson Legal Services. I'm the 3 operator of this camera. 4 We are on the record April 3, 2014. The 5 time is 8:48 a.m., as indicated on the video 6 screen. 7 This is the videotaped deposition of 8 Curtis Amundson. We are at 353 North Clark 9 Street, Chicago, Illinois. 10 This case is captioned In Re: Processed 11 Egg Products Antitrust Litigation, case number 12 08-md-02002. 13 Will the attorneys please identify 14 themselves for the video record. 15 MS. ANSARI: Sarah Ansari for 16 Jenner &amp; Block on behalf of the deponent and 17 Kraft Foods. 18 MR. CAMPBELL: Richard Campbell of 19 Jenner &amp; Block on behalf of Kraft Foods. 20 MS. CLAIR: Kathleen Clair of 21 Crowell Moring on behalf of Daybreak Foods. 22 THE VIDEOGRAPHER: The court reporter 23 today is Deralyn Gordon. Please swear in the 24 witness. 25</p>	<p style="text-align: right;">9</p> <p>1 charge of that. 2 A. <b>Okay.</b> 3 Q. Okay. Is there any reason why you can't 4 give your best testimony today? 5 A. <b>No.</b> 6 Q. Are you currently employed, Mr. Amundson? 7 A. <b>I am not. I'm retired.</b> 8 Q. And when did you retire? 9 A. <b>I retired on December 30, 2012.</b> 10 Q. Was that from -- 11 A. <b>I was severed on December 30, 2012,</b> 12 <b>voluntarily, and retired January 1, 2013</b> 13 <b>officially.</b> 14 Q. Okay. And was your employer Kraft at the 15 time of your retirement? 16 A. <b>Yes.</b> 17 Q. What was your job title at Kraft? 18 A. <b>I was Associate Director of Procurement.</b> 19 Q. And what were your responsibilities in 20 that title? 21 A. <b>Well, there were several different</b> 22 <b>responsibilities. First and foremost was the</b> 23 <b>management of the formula system, and that is the</b> 24 <b>least cost optimization program for Kraft meats,</b> 25 <b>Oscar Mayer plants.</b></p>

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## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

4 (Pages 10 to 13)

<p style="text-align: right;">10</p> <p>1       <b>Secondly, I dealt with some materials</b>  2       <b>coming in and out of the freezer correcting the</b>  3       <b>operations, and that was just optimal use of</b>  4       <b>raw materials. Thirdly, I had a scientific issues</b>  5       <b>role, and that included a number of issues, of</b>  6       <b>which animal welfare was one of them, from a</b>  7       <b>procurement standpoint.</b>  8       <b>Let's see, what else did I do? In a</b>  9       <b>nutshell that covers the three main areas.</b>  10       <b>Q. Okay. And when did you begin in that role</b>  11       <b>at Kraft?</b>  12       <b>A. I became the Director of Procurement in</b>  13       <b>1999.</b>  14       <b>Q. Okay.</b>  15       <b>A. And then as a job evaluation Kraftwide,</b>  16       <b>it became an assistant director post a year or</b>  17       <b>two later.</b>  18       <b>Q. Okay. And what's the highest level of</b>  19       <b>education that you achieved?</b>  20       <b>A. I have a PhD in Meat Science from</b>  21       <b>Iowa State.</b>  22       <b>Q. Okay. Were you involved -- I wonder if</b>  23       <b>you could tell me a little bit more about your</b>  24       <b>involvement in animal welfare issues at Kraft.</b>  25       <b>What specifically did you do with regard</b></p>	<p style="text-align: right;">12</p> <p>1       <b>A. Not much.</b>  2       <b>Q. Uh-huh.</b>  3       <b>A. He was the ingredients buyer. And so</b>  4       <b>there might have been -- there was a small</b>  5       <b>confluents with eggs, because that was one of his</b>  6       <b>responsibilities.</b>  7       <b>But he was more on the buying,</b>  8       <b>contracting, procurement than on animal welfare</b>  9       <b>issues specifically.</b>  10       <b>Q. Okay. And what about Scott Manion?</b>  11       <b>A. I don't really know Scott.</b>  12       <b>Q. Okay. Javier Maneses?</b>  13       <b>A. Javier Maneses has been pretty much the</b>  14       <b>same role as John Gregorich, only at a different</b>  15       <b>time.</b>  16       <b>Q. Okay.</b>  17       <b>A. And so he would have had the same</b>  18       <b>peripheral.</b>  19       <b>Q. Peripheral role.</b>  20       <b>How about Jose Rojo?</b>  21       <b>A. Jose Rojo was recently became -- or</b>  22       <b>recently came and then left as senior director.</b>  23       <b>Before that he was mostly involved with red meat.</b>  24       <b>I believe he would have not much animal welfare</b>  25       <b>role.</b></p>
<p style="text-align: right;">11</p> <p>1       <b>to animal welfare at Kraft?</b>  2       <b>A. I was, I was basically a scientific issues</b>  3       <b>liaison for the procurement group specifically.</b>  4       <b>I had an interest in animal welfare,</b>  5       <b>and so that started out by exploring issues, such</b>  6       <b>as cloning, that was, you know, topics that arose</b>  7       <b>that were important to the company that I might</b>  8       <b>have been able to contribute to or learn about.</b>  9       <b>And so that actually -- I consider it a</b>  10       <b>more scientific issues than animal welfare,</b>  11       <b>because it really started that way.</b>  12       <b>And then one of those issues that</b>  13       <b>arose was animal welfare as related to primarily</b>  14       <b>Oscar Mayer meat animals.</b>  15       <b>Q. Okay. And I wanted to talk about some</b>  16       <b>of the other people at Kraft that were involved</b>  17       <b>in animal welfare issues, if I could go through a</b>  18       <b>couple of names. You could let me know, if you</b>  19       <b>know, what they did with respect to animal</b>  20       <b>welfare.</b>  21       <b>The first name is John Gregorich. Are you</b>  22       <b>familiar with John Gregorich?</b>  23       <b>A. Yes.</b>  24       <b>Q. What was his role with respect to animal</b>  25       <b>welfare issues?</b></p>	<p style="text-align: right;">13</p> <p>1       <b>Q. Okay. What about William Paulos?</b>  2       <b>A. Yes, his predecessor had more.</b>  3       <b>Q. More, okay.</b>  4       <b>A. He was the person I reported to, and I</b>  5       <b>served as his scientific ears and eyes and this</b>  6       <b>type of thing.</b>  7       <b>Q. If you were his scientific ears, did he</b>  8       <b>have a nonscientific role with respect to animal</b>  9       <b>welfare?</b>  10       <b>A. Up until the last couple of years, he</b>  11       <b>was -- he managed the entire meat procurement</b>  12       <b>department. He was the Senior Director of</b>  13       <b>Meat Procurement and managed that department.</b>  14       <b>So there would be some interaction between</b>  15       <b>him and upper management, especially as we</b>  16       <b>developed some of these possible positions.</b>  17       <b>Q. Okay.</b>  18       <b>A. Most recently he was very involved in</b>  19       <b>the Road to Real project, which brought animal</b>  20       <b>welfare to a stronger place.</b>  21       <b>And, as a result, when Jose was named</b>  22       <b>Senior Director, Bill took the role as Senior</b>  23       <b>Director of Animal Welfare. So he had, for the</b>  24       <b>last year, a very significant role especially</b>  25       <b>with gestation crates.</b></p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

5 (Pages 14 to 17)

<p style="text-align: right;">14</p> <p>1 Q. Okay.</p> <p>2 <b>A. Resolution of that issue, gestation</b></p> <p>3 <b>crates.</b></p> <p>4 Q. You mentioned did you say Road to Real?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. What is that?</p> <p>7 <b>A. It's a line of -- it's a project for a</b></p> <p>8 <b>line of meat products that Oscar Mayer has brought</b></p> <p>9 <b>out a couple of years ago. And the idea was to</b></p> <p>10 <b>have less procuring agents, more natural, if you</b></p> <p>11 <b>were.</b></p> <p>12 Q. Okay. Did it have to do with eggs at all?</p> <p>13 <b>A. No. It was all meat products.</b></p> <p>14 Q. Okay. All right. When did you first</p> <p>15 become involved in animal welfare issues at Kraft?</p> <p>16 Do you remember the year?</p> <p>17 <b>A. I don't know the exact year. It had to be</b></p> <p>18 <b>around the 2004ish time frame.</b></p> <p>19 Q. Okay. Did your responsibilities with</p> <p>20 respect to animal welfare change over the years</p> <p>21 that you were involved in it?</p> <p>22 <b>A. I need clarification on that.</b></p> <p>23 Q. Sure.</p> <p>24 MR. CAMPBELL: Sorry.</p> <p>25 MS. MARKOWITZ: Hello, this is</p>	<p style="text-align: right;">16</p> <p>1 understanding. Okay. Sure thing.</p> <p>2 BY MS. CLAIR:</p> <p>3 Q. So the question is did your role with</p> <p>4 respect to animal welfare evolve over the years</p> <p>5 that you were involved in animal welfare issues?</p> <p>6 <b>A. The issues changed, my approaches to</b></p> <p>7 <b>them really didn't because the issues -- in fact,</b></p> <p>8 <b>if you start with the scientific start, it was the</b></p> <p>9 <b>first start into science with BSE.</b></p> <p>10 Q. What is BSE?</p> <p>11 <b>A. Bovine Spongiform Encephalopathy think.</b></p> <p>12 Q. Okay.</p> <p>13 <b>A. So that was the start into the scientific</b></p> <p>14 <b>issue.</b></p> <p>15 <b>My role was to learn as much as I could</b></p> <p>16 <b>and suggest or make a recommendation or inform</b></p> <p>17 <b>other people who didn't do that.</b></p> <p>18 <b>That was the same role that I had with</b></p> <p>19 <b>animal welfare. It was to understand issues as</b></p> <p>20 <b>they came up almost exclusively related to meat</b></p> <p>21 <b>and slaughter animals, but -- and then work</b></p> <p>22 <b>with others to inform them and try to formulate</b></p> <p>23 <b>potential solutions or recommendations.</b></p> <p>24 Q. Okay. Thank you. That's helpful.</p> <p>25 Did Kraft have an animal welfare task</p>
<p style="text-align: right;">15</p> <p>1 Sharon Markowitz on the phone for Michael Foods.</p> <p>2 MS. CLAIR: Good morning, Sharon.</p> <p>3 MR. CAMPBELL: Sharon, this is</p> <p>4 Dick Campbell. We started with some of the</p> <p>5 preliminary questions because we weren't sure</p> <p>6 that you were joining us today, but nothing</p> <p>7 substantive has occurred. All right?</p> <p>8 MS. MARKOWITZ: Okay. Great. Do we have</p> <p>9 the same people appearing as yesterday?</p> <p>10 MR. CAMPBELL: Yes.</p> <p>11 MS. CLAIR: Yes.</p> <p>12 MR. CAMPBELL: Although John is not on the</p> <p>13 phone.</p> <p>14 MS. CLAIR: Yes, John is not on the phone.</p> <p>15 MR. CAMPBELL: Maybe we'll give him</p> <p>16 another couple of minutes, but...</p> <p>17 MS. CLAIR: Yes, it's 2 minutes before.</p> <p>18 MS. MARKOWITZ: Great.</p> <p>19 MS. CLAIR: I apologize for starting a</p> <p>20 little bit early.</p> <p>21 MR. CAMPBELL: We were ready.</p> <p>22 MS. CLAIR: Rules of the road here.</p> <p>23 MS. MARKOWITZ: I understand. People want</p> <p>24 to leave early.</p> <p>25 MS. CLAIR: Yeah. Thanks for</p>	<p style="text-align: right;">17</p> <p>1 force?</p> <p>2 <b>A. Kraft had a meat and poul- -- the</b></p> <p>3 <b>Oscar Mayer division of Kraft had a meat and</b></p> <p>4 <b>poultry committee that put together an animal task</b></p> <p>5 <b>force to look at those issues.</b></p> <p>6 Q. Okay. And did the Oscar Mayer division</p> <p>7 have responsibility for egg procurement as --</p> <p>8 along with meat procurement?</p> <p>9 <b>A. It did for a short period of time. And</b></p> <p>10 <b>I don't know the exact dates, but there was a</b></p> <p>11 <b>period of time where Kraft decided to have all</b></p> <p>12 <b>animal proteins purchased through the Oscar Mayer</b></p> <p>13 <b>meat procurement, and that included eggs.</b></p> <p>14 Q. Okay. And were you a member of that task</p> <p>15 force that was under the Oscar Mayer umbrella?</p> <p>16 <b>A. Yes.</b></p> <p>17 Q. Okay. When was that task force formed,</p> <p>18 do you recall?</p> <p>19 <b>A. There were two different -- there was an</b></p> <p>20 <b>earlier task force that looked into companywide.</b></p> <p>21 Q. Okay.</p> <p>22 <b>A. The -- first of all, I was -- I received a</b></p> <p>23 <b>copy of this, of this deck.</b></p> <p>24 Q. Slide deck? Okay. From --</p> <p>25 <b>A. Draft animal.</b></p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

6 (Pages 18 to 21)

<p style="text-align: right;">18</p> <p>1 Q. Oh, from yesterday. That's --</p> <p>2 <b>A. This was the second one.</b></p> <p>3 Q. Okay.</p> <p>4 <b>A. The first one looked at dairy, slaughter</b></p> <p>5 <b>animals, eggs, and didn't really go anywhere.</b></p> <p>6 <b>The second one, which was this one, which</b></p> <p>7 <b>was borne out of the meat and poultry issues team,</b></p> <p>8 <b>went mostly to slaughter, although you see some</b></p> <p>9 <b>eggs also there. But that was a later -- that was</b></p> <p>10 <b>the second shot at it.</b></p> <p>11 Q. Okay. And just for clarity for the</p> <p>12 record, you're looking at a document there. Does</p> <p>13 that say Manion 19 on the bottom?</p> <p>14 <b>A. It does, indeed.</b></p> <p>15 Q. It looks like the record that was</p> <p>16 Exhibit 19 from yesterday's deposition.</p> <p>17 MS. CLAIR: Can we mark that as Amundson 1</p> <p>18 since we've discussed it here?</p> <p>19 MS. ANSARI: Yes.</p> <p>20 MR. CAMPBELL: I think that's a good idea.</p> <p>21 MS. CLAIR: Do you mind if I put a little</p> <p>22 sticker on this one?</p> <p>23 MS. ANSARI: Sure.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">20</p> <p>1 MR. MONICA: Okay. Thank you.</p> <p>2 MS. CLAIR: Great.</p> <p>3 BY MS. CLAIR:</p> <p>4 Q. So do you recall the question?</p> <p>5 <b>A. I don't recall the first one having a</b></p> <p>6 <b>name.</b></p> <p>7 Q. Okay. Do you know when it was formed?</p> <p>8 <b>A. It had to be 2003 or 4.</b></p> <p>9 Q. Were you personally involved in it?</p> <p>10 <b>A. Yes, I was.</b></p> <p>11 Q. You were. Okay. Who else was involved in</p> <p>12 it?</p> <p>13 <b>A. Boy, that was a long time ago on one that</b></p> <p>14 <b>didn't go anywhere.</b></p> <p>15 Q. Okay.</p> <p>16 <b>A. There would have been someone from</b></p> <p>17 <b>Corporate Affairs, probably Claire Regan. There</b></p> <p>18 <b>was a representative from dairy, I don't remember</b></p> <p>19 <b>her name. I don't know the rest of the people</b></p> <p>20 <b>that were involved in that.</b></p> <p>21 Q. Do you know why that first initiative was</p> <p>22 undertaken?</p> <p>23 <b>A. Well, I think all of the -- the birth of</b></p> <p>24 <b>all of the initiatives was the growing concern</b></p> <p>25 <b>about animal welfare becoming an issue and us not</b></p>
<p style="text-align: right;">19</p> <p>1 (Amundson Deposition Exhibit</p> <p>2 No. 1 marked for</p> <p>3 identification.)</p> <p>4 MS. CLAIR: So, counsel, this is KRA19.</p> <p>5 This was Exhibit 19 yesterday, a coincidence the</p> <p>6 19s. Thank you.</p> <p>7 BY MS. CLAIR:</p> <p>8 Q. Let's talk about that earlier group or</p> <p>9 task force. Did it have a name that you recall?</p> <p>10 MS. CLAIR: Before we answer let's --</p> <p>11 MR. CAMPBELL: Did somebody join?</p> <p>12 MR. MONICA: John Monica.</p> <p>13 MR. CAMPBELL: Hi, John. It's</p> <p>14 Dick Campbell. Sharon joined a minute or two ago.</p> <p>15 We started a trifle early. And Katie, you know,</p> <p>16 did the preliminaries and that sort of thing while</p> <p>17 waiting for you to join.</p> <p>18 MR. MONICA: Okay.</p> <p>19 MR. CAMPBELL: And she is just now getting</p> <p>20 into the substance of the animal welfare. All</p> <p>21 right?</p> <p>22 MR. MONICA: Sounds good. Thank you.</p> <p>23 MS. CLAIR: Okay, great. No problem. We</p> <p>24 just marked one exhibit, which happened to be</p> <p>25 Exhibit 19 from yesterday.</p>	<p style="text-align: right;">21</p> <p>1 <b>having a position on the issue that we could</b></p> <p>2 <b>communicate.</b></p> <p>3 Q. Did the idea to develop a position on</p> <p>4 animal welfare come from management at Kraft?</p> <p>5 MS. ANSARI: Objection.</p> <p>6 Katie, can you clarify what type of animal</p> <p>7 welfare, meat or eggs?</p> <p>8 MS. CLAIR: Sure.</p> <p>9 BY MS. CLAIR:</p> <p>10 Q. And let me just ask a more precise</p> <p>11 question, did the idea to start this early</p> <p>12 initiative that you discussed come from</p> <p>13 management at Kraft?</p> <p>14 <b>A. It must have, but I don't know</b></p> <p>15 <b>specifically how it came about.</b></p> <p>16 Q. Okay. I'll ask that one a little...</p> <p>17 (Amundson Deposition Exhibit</p> <p>18 No. 2 marked for</p> <p>19 identification.)</p> <p>20 BY MS. CLAIR:</p> <p>21 Q. Mr. Amundson, I'm going to hand you what</p> <p>22 we've marked as Amundson 2. This is a document</p> <p>23 Bates labeled KRA00014698. I'll let you take a</p> <p>24 minute to look it over.</p> <p>25 <b>A. I'm ready to go.</b></p>



## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

7 (Pages 22 to 25)

<p style="text-align: right;">22</p> <p>1 Q. Okay. Do you know what this document is?</p> <p>2 <b>A. May I read it first?</b></p> <p>3 Q. Oh, yes, yes, yes.</p> <p>4 <b>A. Thank you. Okay.</b></p> <p>5 Q. Okay. Do you know what the document is?</p> <p>6 <b>A. Yeah.</b></p> <p>7 Q. Okay. And what is this?</p> <p>8 <b>A. It sounds like the start of that 2004</b></p> <p>9 <b>animal affairs task charter.</b></p> <p>10 Q. Okay. So this was the companywide one?</p> <p>11 <b>A. Correct.</b></p> <p>12 Q. Okay. That's helpful.</p> <p>13 And do you see the sponsor listed there,</p> <p>14 Marcy Glenn?</p> <p>15 <b>A. Uh-huh.</b></p> <p>16 Q. And there's a description of the</p> <p>17 "Sponsor's Role" below that. It says to</p> <p>18 "Provide senior management support for the</p> <p>19 exploration and potential development and</p> <p>20 implementation of the KFT animal welfare policy."</p> <p>21 <b>A. Uh-huh.</b></p> <p>22 Q. On the task force do you feel you received</p> <p>23 that support?</p> <p>24 <b>A. Can you explain further?</b></p> <p>25 Q. Did you on the task force receive senior</p>	<p style="text-align: right;">24</p> <p>1 Do you know which NGOs were championing</p> <p>2 this issue?</p> <p>3 <b>A. Well, the issue is animal welfare in</b></p> <p>4 <b>general. And the NGOs would be PETA, HSUS. Those</b></p> <p>5 <b>are the key players.</b></p> <p>6 Q. Okay. And was Kraft paying attention to</p> <p>7 PETA and HSUS in the 2004 time frame?</p> <p>8 <b>A. Define paying attention.</b></p> <p>9 Q. Paying attention enough to note PETA and</p> <p>10 HSUS efforts as a rationale for beginning this</p> <p>11 task force.</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. Okay. A little below that we see that</p> <p>14 "Major KFT suppliers are adopting generally-</p> <p>15 accepted animal welfare guidelines and</p> <p>16 KFT customers could expect that KFT have a</p> <p>17 similar program in place."</p> <p>18 Do you know which customers Kraft was</p> <p>19 thinking about with respect to this?</p> <p>20 <b>A. I do not know which specific customers.</b></p> <p>21 <b>I think this is more customers in general, we were</b></p> <p>22 <b>-- we could be expecting those.</b></p> <p>23 Q. And do you know which KFT major suppliers</p> <p>24 were being referred to here?</p> <p>25 <b>A. I don't know. I could name a couple.</b></p>
<p style="text-align: right;">23</p> <p>1 management support for your efforts?</p> <p>2 <b>A. We met. We were encouraged to meet,</b></p> <p>3 <b>encouraged development. So yes, I think we did</b></p> <p>4 <b>receive that support.</b></p> <p>5 Q. Okay. And a little below we see under</p> <p>6 "Objectives," one is to "Assess" currently --</p> <p>7 "current generally-accepted animal welfare</p> <p>8 guidelines and recommendations..."</p> <p>9 And another is to "Recommend adoption</p> <p>10 and implementation of appropriate KFT policies and</p> <p>11 practices." Do you see that page?</p> <p>12 <b>A. Uh-huh.</b></p> <p>13 Q. To whom were you supposed to make those</p> <p>14 recommendations?</p> <p>15 <b>A. Those recommendations would have been</b></p> <p>16 <b>made back to Marcy, first of all, and then she or</b></p> <p>17 <b>we would have taken them to a larger group of</b></p> <p>18 <b>management.</b></p> <p>19 Q. Okay. Marcy's role here is written as</p> <p>20 SVP Global Procurement. Is that an accurate</p> <p>21 description of her role?</p> <p>22 <b>A. Yes, Senior Vice President.</b></p> <p>23 Q. Okay. A little further down in the</p> <p>24 document under "Rationale," it notes "The issue</p> <p>25 has been championed by NGOs."</p>	<p style="text-align: right;">25</p> <p>1 <b>That would be the Tyson Foods and the folks that</b></p> <p>2 <b>were slaughtering birds and slaughtering the red</b></p> <p>3 <b>meat animals.</b></p> <p>4 Q. Okay. I see below here we have</p> <p>5 "Task Force Members." You're listed --</p> <p>6 <b>A. Uh-huh.</b></p> <p>7 Q. -- along with several others.</p> <p>8 Who decided who would be on the task</p> <p>9 force?</p> <p>10 <b>A. Well, there's four major people on the</b></p> <p>11 <b>order, public affairs, scientific affairs and me.</b></p> <p>12 Q. Okay.</p> <p>13 <b>A. And then the ad hoc or obviously,</b></p> <p>14 <b>excuse me, dairy, which makes sense, and</b></p> <p>15 <b>Newberry, which is Fran, because that's our</b></p> <p>16 <b>slaughter facility.</b></p> <p>17 Q. Okay. Did this document precede a meeting</p> <p>18 or was this document created after a meeting do</p> <p>19 you know?</p> <p>20 <b>A. I don't know what took place before this.</b></p> <p>21 <b>My guess is that there had been some discussion,</b></p> <p>22 <b>but that's probably unfair. I don't know.</b></p> <p>23 Q. Okay. That's fine.</p> <p>24</p> <p>25</p>



## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

8 (Pages 26 to 29)

<p style="text-align: right;">26</p> <p>1 (Amundson Deposition Exhibit 2 No. 3 marked for 3 identification.) 4 BY MS. CLAIR: 5 Q. I'm going to hand you what we'll mark as 6 Amundson 3. This is Bates labeled KRA00025493. 7 I'll give you a moment to review it. Just let me 8 know when you have. 9 <b>A. Okay.</b> 10 Q. Okay. Do you know what this document is? 11 <b>A. Other than it looks like a continuation of</b> 12 <b>the prior one.</b> 13 Q. It looks like -- so the prior one is 14 dated January 2004. This one is dated April 2005, 15 right? 16 <b>A. Uh-huh.</b> 17 Q. This looks like an update; is that fair? 18 <b>A. Or possibly a restart.</b> 19 Q. Or possibly a restart. Okay. 20 Were there meetings and animal welfare 21 efforts going on between January 2004 and 22 April 2005? 23 <b>A. This team had met. We -- I can't say for</b> 24 <b>sure what else went on at that time.</b> 25 Q. Okay. Do you know why this document was</p>	<p style="text-align: right;">28</p> <p>1 <b>before, but you see the change with the MPPCT as</b> 2 <b>the sponsor or as the -- as the overall of this</b> 3 <b>group.</b> 4 Q. What is the MPPCT? 5 <b>A. Meat and Poultry Policy Core Team at</b> 6 <b>Oscar Mayer. This was specifically Oscar Mayer as</b> 7 <b>opposed to Kraftwide.</b> 8 Q. Perfect. So this document is dated May 2, 9 2005. It's really just a few days later than the 10 April 28, 2005, exhibit that we just looked at. 11 <b>A. It looks like it would be an upgrade or a</b> 12 <b>redraft of the one before it.</b> 13 Q. And it looks like the goal has been 14 further developed a bit from this document as 15 compared to the last one, right? Is that right? 16 I'm sorry. 17 <b>A. Yes, it looks like it has changed.</b> 18 Q. So whereas before the goal was to adopt 19 and follow generally accepted animal welfare 20 guidelines, here the document gets a bit more 21 specific noting that "Kraft business units 22 will ensure that Kraft and its suppliers and its 23 suppliers adopt and follow this policy." 24 So there's a bit more specificity here -- 25 <b>A. Correct.</b></p>
<p style="text-align: right;">27</p> <p>1 created anew in April 2005? 2 <b>A. Well, we have a -- we had a different</b> 3 <b>structure because, you see the Werner Bossard,</b> 4 <b>the structure within the company had changed.</b> 5 <b>That's the only thing that I could tell you for</b> 6 <b>sure had caused this.</b> 7 Q. Okay. Werner Bossard is listed as the 8 sponsor here? 9 <b>A. Correct.</b> 10 Q. The sponsor's role was to provide senior 11 support for your efforts? 12 <b>A. Correct.</b> 13 Q. So that change might have been the reason 14 for the re-up here. Okay. 15 (Amundson Deposition Exhibit 16 No. 4 marked for 17 identification.) 18 BY MS. CLAIR: 19 Q. I'll hand you what we'll mark as 20 Amundson 4. 21 <b>A. Okay.</b> 22 Q. This is KRA00014700. 23 <b>A. Okay.</b> 24 Q. Okay. And what is this document? 25 <b>A. It looks like a continuation of the one</b></p>	<p style="text-align: right;">29</p> <p>1 Q. -- in this later document. And there's, 2 in fact, a mandate to suppliers, as contemplated 3 in this later document? 4 MS. ANSARI: Objection to form. 5 MS. CLAIR: You can still answer. 6 MS. ANSARI: You can answer. 7 <b>A. Yes, there is a -- this looks more</b> 8 <b>specific with specific things to result from it.</b> 9 BY MS. CLAIR: 10 Q. Do you know who created these documents, 11 these last three exhibits that we've been looking 12 at? 13 <b>A. I'm assuming the sponsor did or someone</b> 14 <b>working with the sponsor.</b> 15 Q. Would the person who created this 16 document have been knowledgeable about the facts 17 in the document at the time they created it? 18 MS. ANSARI: Objection, speculation. 19 You can answer. 20 <b>A. Well, do you mean the facts about welfare</b> 21 <b>behind this?</b> 22 BY MS. CLAIR: 23 Q. No, just the statements written in the 24 document that -- 25 <b>A. I've got to assume that, once again,</b></p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

9 (Pages 30 to 33)

<p style="text-align: right;">30</p> <p>1 speculation, I have to assume that the person who</p> <p>2 wrote this was a sponsor and knew about this.</p> <p>3 Q. Would you have any reason to believe they</p> <p>4 wouldn't?</p> <p>5 A. No.</p> <p>6 Q. Does it look like -- is it the case that</p> <p>7 this was -- scratch that. I'll skip that. Okay.</p> <p>8 Was there a meeting between the April 28th</p> <p>9 document and the May 2nd document to your -- to</p> <p>10 the best of your memory?</p> <p>11 A. I don't know.</p> <p>12 Q. Okay. And under "Tactics" here under this</p> <p>13 exhibit, the first bullet says "Assess current</p> <p>14 animal welfare guidelines and recommendations."</p> <p>15 Who was responsible for doing that?</p> <p>16 A. That would have been the task force</p> <p>17 itself. I would have been involved with that.</p> <p>18 Q. Okay. And what did the task force do to</p> <p>19 go about assessing those guidelines?</p> <p>20 A. Well, it was primarily reading the</p> <p>21 AMI guidelines and the NTF guidelines and the</p> <p>22 National Chicken Council's guidelines, presumably,</p> <p>23 and it may have been me, but somebody read the</p> <p>24 UEP guidelines. That was the assessment.</p> <p>25 Q. And while you were reading them, were you</p>	<p style="text-align: right;">32</p> <p>1 A. No, the guidelines, see if the</p> <p>2 guidelines --</p> <p>3 Q. See if the guidelines looked reasonable,</p> <p>4 okay.</p> <p>5 A. I think I actually said that two different</p> <p>6 times. One is on guidelines, one is what the</p> <p>7 people were like.</p> <p>8 Q. That's what I wanted to clarify. Thank</p> <p>9 you. Okay.</p> <p>10 And the UEP guidelines were reviewed as</p> <p>11 part of this process; is that what you -- is that</p> <p>12 right?</p> <p>13 A. I read them. My main interest was</p> <p>14 slaughter guidelines and animal handling.</p> <p>15 Q. Okay. Do you recall finding anything in</p> <p>16 the UEP guidelines that you found not reasonable?</p> <p>17 A. At the time I didn't know enough about</p> <p>18 egg production to know if something was reasonable</p> <p>19 or not.</p> <p>20 Q. One way or the other. Okay.</p> <p>21 (Amundson Deposition Exhibit</p> <p>22 No. 5 marked for</p> <p>23 identification.)</p> <p>24 BY MS. CLAIR:</p> <p>25 Q. I'm going to hand you what we'll mark as</p>
<p style="text-align: right;">31</p> <p>1 making evaluations in any manner?</p> <p>2 MS. ANSARI: Objection, vague.</p> <p>3 A. Can you be more specific on that one?</p> <p>4 BY MS. CLAIR:</p> <p>5 Q. Sure. So this mentions assessing. And</p> <p>6 you said assessing would have involved reading the</p> <p>7 documents.</p> <p>8 Would it have involved anything other than</p> <p>9 simply reading those documents?</p> <p>10 A. When I would read these documents,</p> <p>11 typically there would be -- I can't outguess the</p> <p>12 people who were doing them, because they were the</p> <p>13 experts in the field. I would be looking at the</p> <p>14 scientific group that developed the guidelines to</p> <p>15 see if they looked reasonable or if I knew them.</p> <p>16 Q. Uh-huh.</p> <p>17 A. You would be reading them to see if</p> <p>18 there is anything that you -- that obviously stuck</p> <p>19 out as a question mark, but, once again, it's</p> <p>20 difficult to second guess people who live with</p> <p>21 this and work in the industry more closely from</p> <p>22 just reading something.</p> <p>23 Q. And when you say to see if they looked</p> <p>24 reasonable, were you referring to the individuals</p> <p>25 in the scientific group --</p>	<p style="text-align: right;">33</p> <p>1 Amundson 5. This is KRA00049798. I'll give you</p> <p>2 a moment to review. Just let me know when you</p> <p>3 have.</p> <p>4 A. Okay.</p> <p>5 Q. Okay. Do you know what this document is?</p> <p>6 A. It's scheduling of a meeting.</p> <p>7 Q. Okay. Is this an email that you received?</p> <p>8 A. I don't remember specifically receiving</p> <p>9 this, but it does say to me, so I must have</p> <p>10 received it.</p> <p>11 Q. Okay. Okay. And this is dated May 23,</p> <p>12 2005, right?</p> <p>13 A. Yup.</p> <p>14 Q. From Claire Regan. And this references an</p> <p>15 initial meeting of the animal welfare task force</p> <p>16 for June 1, 2005, right?</p> <p>17 A. Uh-huh.</p> <p>18 Q. Would this have been the -- that early</p> <p>19 companywide task force that you talked about</p> <p>20 before?</p> <p>21 A. I don't think so. I think it would have</p> <p>22 been more related to this one from Exhibit 4.</p> <p>23 Q. As I understood it, Exhibit 4 did relate</p> <p>24 to the early companywide task force, but maybe</p> <p>25 I'm incorrect in saying that.</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

10 (Pages 34 to 37)

<p style="text-align: right;">34</p> <p>1 When you noted that this was part of 2 MPPCT -- 3 <b>A. Right.</b> 4 Q. -- does that mean to you that this is part 5 of -- 6 <b>A. The second one.</b> 7 Q. -- the second task force? Okay. Thank 8 you. 9 MS. CLAIR: Okay. I'll just note for the 10 record that no attachment was provided in the 11 files for this, although there's a mention of a 12 draft agenda attached. We would have included it 13 if we had it. 14 BY MS. CLAIR: 15 Q. So were there animal welfare task force 16 meetings before June 1, 2005, just of the earlier 17 initiative? It sounds like that's the case, 18 right? 19 <b>A. There would have been discussions earlier.</b> 20 Q. Okay. 21 <b>A. I don't know specifically what they were.</b> 22 Q. Okay. That's fine. I'm just trying to 23 get the lay of the land and time lines here. 24 25</p>	<p style="text-align: right;">36</p> <p>1 <b>A. Uh-huh.</b> 2 Q. Let's go down to "Follow Ups." We see 3 your name. Next to that we see "Catalog 4 guidelines developed by," and it lists several 5 organizations. And one of them is United Egg 6 Producers, right? 7 <b>A. Uh-huh.</b> 8 Q. Okay. That was your task coming out of 9 this meeting, was to catalog those guidelines? 10 <b>A. Correct.</b> 11 Q. Did you do so? 12 <b>A. Correct, yes. Basically get copies of the</b> 13 <b>guidelines.</b> 14 Q. Okay. Makes sense. 15 And another followup, if we turn to the 16 next page, by your name is "Inventory current 17 suppliers for: animal welfare policies, training 18 and audits." 19 <b>A. Uh-huh.</b> 20 Q. Did you do that? 21 <b>A. I did that with the red meat suppliers</b> 22 <b>at that time, red and poultry slaughterers. I</b> 23 <b>probably contacted -- in fact, I'm sure I</b> 24 <b>contacted Rose Acre --</b> 25 Q. Okay.</p>
<p style="text-align: right;">35</p> <p>1 (Amundson Deposition Exhibit 2 No. 6 marked for 3 identification.) 4 BY MS. CLAIR: 5 Q. I'll hand you what we'll mark as 6 Amundson 6. This is KRA00049819. 7 <b>A. Okay.</b> 8 Q. Okay. Do you know what this document is? 9 <b>A. Uh-huh.</b> 10 Q. And what is this? 11 <b>A. This is the -- it looks like the summary</b> 12 <b>of the meeting that was mentioned in the previous</b> 13 <b>message.</b> 14 Q. Okay. Was it a regular practice at Kraft 15 to summarize meetings, to send around notes like 16 this? 17 <b>A. Yes.</b> 18 Q. Would the people who made these notes have 19 been knowledgeable about the facts that they wrote 20 down in the notes? 21 MS. ANSARI: Objection, speculation. 22 <b>A. Probably. Yeah.</b> 23 BY MS. CLAIR: 24 Q. Okay. So this is the June 1, 2005, 25 meeting summary here, right?</p>	<p style="text-align: right;">37</p> <p>1 <b>A. -- also.</b> 2 Q. And what did you do as part of this 3 inventory of suppliers, other than contact them? 4 <b>A. It depended. The inventory -- the</b> 5 <b>initial contact with the suppliers was do you</b> 6 <b>do animal welfare audits, well, do you follow</b> 7 <b>AMI guidelines, do you do animal welfare audits,</b> 8 <b>can you provide me with an example of those</b> 9 <b>audits? That would have been inventorying the</b> 10 <b>current suppliers.</b> 11 Q. Okay. And what was Kraft's relationship 12 with Tyson Foods at this time? 13 <b>A. They were a supplier of ours.</b> 14 Q. A supplier. 15 (Amundson Deposition Exhibit 16 No. 7 marked for 17 identification.) 18 BY MS. CLAIR: 19 Q. I hand you what we'll mark as Amundson 7. 20 <b>A. Thank you.</b> 21 Q. This is KRA00014673. 22 <b>A. Okay.</b> 23 Q. Okay. Do you know what this document is? 24 <b>A. Uh-huh.</b> 25 Q. And what is this?</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

11 (Pages 38 to 41)

<p style="text-align: right;">38</p> <p>1 <b>A. This is a summary of the next meeting of</b>  2 <b>an animal task force.</b>  3 Q. This is another one of those summaries  4 that Kraft regularly prepared after it held  5 meetings, right?  6 <b>A. Uh-huh.</b>  7 Q. Okay. And this is dated August 24, 2005,  8 right?  9 <b>A. One correction on that one. Every meeting</b>  10 <b>wouldn't have had a summary, but many of them</b>  11 <b>would have.</b>  12 Q. Many of them would have. That's  13 reasonable. Thank you.  14 Okay. Let's go down to where it says  15 "Animal Welfare Guidelines."  16 <b>A. Uh-huh.</b>  17 Q. Do you see that it says "For the US,  18 KFT will use the species-specific animal welfare  19 guidelines developed by the industry trade  20 associations as the standard for domestic  21 produce."  22 If we skip down, it says "The specific  23 guidelines we will follow in the US are," skip to  24 the second bullet, for "Egg laying hens - United  25 Egg Producers." Right?</p>	<p style="text-align: right;">40</p> <p>1 Kraft policy or was that the recommendation of  2 this group?  3 <b>A. That's the recommendation of the group.</b>  4 Q. Okay. Why did the group recommend  5 following these industry guidelines rather than  6 Kraft developing its own?  7 <b>A. Kraft -- well, it's included in here,</b>  8 <b>the thinking behind that, but the primary thinking</b>  9 <b>was every company out there couldn't come up with</b>  10 <b>a separate set of requirements. It would be</b>  11 <b>unmanageable for the suppliers and also for</b>  12 <b>people like Kraft, because we didn't have the</b>  13 <b>experts that these industry trade groups had</b>  14 <b>devising these.</b>  15 <b>So the opinion was we wouldn't be as good,</b>  16 <b>we would put an excess burden on the suppliers,</b>  17 <b>and the industry updated theirs on a regular</b>  18 <b>basis. We'd get into that whole issue.</b>  19 <b>So the issue was upgrading requirements</b>  20 <b>while not putting a burden on the suppliers.</b>  21 Q. Okay. Makes sense.  22 (Amundson Deposition Exhibit  23 No. 8 marked for  24 identification.)  25</p>
<p style="text-align: right;">39</p> <p>1 <b>A. Uh-huh.</b>  2 Q. So as of the last meeting in June, you  3 were tasked with reviewing guidelines.  4 And here at the end of August it looks  5 like the task force is recommending specific  6 industry guidelines?  7 <b>A. Yes.</b>  8 Q. Is that fair?  9 And if we turn to the next page, there's  10 a -- the top is called "Rationale." Do you  11 understand this to be the rationale behind this  12 recommendation?  13 <b>A. Correct. When you look at this document,</b>  14 <b>it said USDA requirements. There are humane</b>  15 <b>slaughter requirements by law for slaughter</b>  16 <b>facilities.</b>  17 <b>The individual industry trade associations</b>  18 <b>took that up a level.</b>  19 Q. Uh-huh.  20 <b>A. So by having an inspection stamp,</b>  21 <b>any meats were already following USDA. The</b>  22 <b>recommendation was to take that up a level.</b>  23 Q. Okay. And was the recommendation to use  24 the United Egg Producers guidelines and other  25 industry guidelines as of August 2005, was that</p>	<p style="text-align: right;">41</p> <p>1 BY MS. CLAIR:  2 Q. I hand you what we've marked as  3 Amundson 8.  4 Am I pronouncing your name correctly?  5 <b>A. Close enough.</b>  6 Q. Okay. I was saying "aim-mund-son" this  7 morning.  8 <b>A. It's actually "am-mund-son."</b>  9 Q. Amundson. Okay. Thank you. I don't want  10 to get that wrong.  11 This is KRA00014916.  12 <b>A. Okay.</b>  13 Q. Do you know what this document is?  14 <b>A. Uh-huh.</b>  15 Q. What is this?  16 <b>A. Summary and follow up of a later animal</b>  17 <b>task force meeting.</b>  18 Q. Similar to the ones we looked at before --  19 <b>A. Correct.</b>  20 Q. -- with a later date, right?  21 The first line mentions a corporate  22 responsibility council. What is the corporate  23 responsibility council?  24 <b>A. I don't know what that is.</b>  25 Q. Okay. Do you know whether that's</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

12 (Pages 42 to 45)

<p style="text-align: right;">42</p> <p>1 something within Kraft at all?</p> <p>2 <b>A. I'm sure it is, but I don't know.</b></p> <p>3 Q. It's okay. Okay. A little further down</p> <p>4 under number four, "Stakeholder Engagement," it</p> <p>5 notes that "Regan and Beard updated the group on</p> <p>6 their discussion with Applebee's."</p> <p>7 Do you see where it says "Applebee's is</p> <p>8 asking that all KFT have on record, annual animal</p> <p>9 welfare audits for any supplier that provides</p> <p>10 Kraft with meat that ends up in a product sold to</p> <p>11 Applebee's."</p> <p>12 Do you know why Applebee's made that</p> <p>13 request?</p> <p>14 <b>A. I don't know the reason why they made that</b></p> <p>15 <b>request.</b></p> <p>16 Q. And how did Kraft respond to that request?</p> <p>17 <b>A. I would -- I did not respond to that</b></p> <p>18 <b>request, so I don't know how Kraft -- I mean,</b></p> <p>19 <b>it indicates here that they would be unable to</b></p> <p>20 <b>meet Applebee's request at this point on the</b></p> <p>21 <b>second page.</b></p> <p>22 (Discussion held off the</p> <p>23 record.)</p> <p>24 <b>A. If Applebee's was asking about</b></p> <p>25 <b>controlled-atmosphere killing, then we wouldn't</b></p>	<p style="text-align: right;">44</p> <p>1 Q. Let's look at the next paragraph. It</p> <p>2 quotes "The group then discussed how it was</p> <p>3 important to have a recognized, independent,</p> <p>4 external animal welfare expert review our proposed</p> <p>5 policy and program." Do you see that?</p> <p>6 <b>A. Uh-huh.</b></p> <p>7 Q. Did Kraft ever engage such an expert?</p> <p>8 <b>A. We have -- we engaged a gentleman to</b></p> <p>9 <b>review processes at Newberry, and he followed up</b></p> <p>10 <b>by being an auditor in Newberry.</b></p> <p>11 <b>And then several years later we -- in</b></p> <p>12 <b>fact, this would have been in 2012 I think when</b></p> <p>13 <b>it became official -- we engaged a red meat and a</b></p> <p>14 <b>poultry animal welfare expert, two different</b></p> <p>15 <b>people, on a contingent -- on an as-needed basis.</b></p> <p>16 Q. The idea was to advise Kraft on its policy</p> <p>17 with regard to animal welfare?</p> <p>18 <b>A. Yeah, help, you know, first of all, teach</b></p> <p>19 <b>us more, teach us better, but also advise us on</b></p> <p>20 <b>where the industry is going and what things should</b></p> <p>21 <b>be done.</b></p> <p>22 Q. Okay.</p> <p>23 (Amundson Deposition Exhibit</p> <p>24 No. 9 marked for</p> <p>25 identification.)</p>
<p style="text-align: right;">43</p> <p>1 <b>be able to answer that either, because we</b></p> <p>2 <b>weren't -- we hadn't positioned on that yet.</b></p> <p>3 BY MS. CLAIR:</p> <p>4 Q. Kraft didn't have a position one way or</p> <p>5 the other on controlled-atmosphere killing at that</p> <p>6 time?</p> <p>7 <b>A. That was one of the -- there was a set of</b></p> <p>8 <b>major issues under way, and that was one of them</b></p> <p>9 <b>for poultry.</b></p> <p>10 Q. Okay. Is Applebee's a customer of Kraft?</p> <p>11 <b>A. Yes, they were.</b></p> <p>12 Q. They were at this time? Okay.</p> <p>13 A little further down you note that on</p> <p>14 the second page "Regan and Beard then updated the</p> <p>15 group on a recent request by PETA..."</p> <p>16 <b>A. I'm sorry, where is this?</b></p> <p>17 Q. This is on the second page in the second</p> <p>18 paragraph.</p> <p>19 <b>A. Uh-huh.</b></p> <p>20 Q. Okay. The recent request by PETA.</p> <p>21 So this is a -- in 2005 there's a mention</p> <p>22 of an approach by PETA. Do you know if there were</p> <p>23 earlier requests from PETA or approaches by</p> <p>24 PETA to Kraft?</p> <p>25 <b>A. I don't know the approaches in the past.</b></p>	<p style="text-align: right;">45</p> <p>1 BY MS. CLAIR:</p> <p>2 Q. I'll hand you what we'll mark as</p> <p>3 Amundson 9. This is KRA18. It looks like the</p> <p>4 same -- it's the same as Amundson 1, but there's</p> <p>5 a cover, so just to include the cover email. I'll</p> <p>6 let you take a look at that cover document.</p> <p>7 MS. ANSARI: This is 9?</p> <p>8 MS. CLAIR: Nine.</p> <p>9 MS. ANSARI: Okay. Thank you.</p> <p>10 THE WITNESS: Oh, I'm sorry.</p> <p>11 <b>A. Okay.</b></p> <p>12 BY MS. CLAIR:</p> <p>13 Q. Okay. Do you know what this cover</p> <p>14 document is?</p> <p>15 <b>A. I sent it so.</b></p> <p>16 Q. You sent it, okay.</p> <p>17 Is this a meeting request that you sent?</p> <p>18 <b>A. Yes. This was a request to discuss with</b></p> <p>19 <b>Werner and Bill this deck.</b></p> <p>20 Q. Okay.</p> <p>21 <b>A. Bill was my supervisor and Werner was his.</b></p> <p>22 Q. Werner was his supervisor.</p> <p>23 There's also a Paul Caruthers listed. Who</p> <p>24 is Paul Caruthers?</p> <p>25 <b>A. I don't remember what his role was at</b></p>



## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

13 (Pages 46 to 49)

<p style="text-align: right;">46</p> <p>1 <b>Kraft.</b></p> <p>2 Q. Okay. And your cover note here references</p> <p>3 an attached animal welfare proposal put together</p> <p>4 by the team and offered by Chris Beard intended</p> <p>5 for the 5/1 presentation to Warner, Paul and John,</p> <p>6 right?</p> <p>7 <b>A. Correct.</b></p> <p>8 Q. What was the purpose of the -- this</p> <p>9 May 1st presentation?</p> <p>10 <b>A. This would have been to get to -- this is</b></p> <p>11 <b>getting higher approval to proceed. John Ruff was</b></p> <p>12 <b>the head of R&amp;D at the time. And so Werner was</b></p> <p>13 <b>obviously one of the leaders of procurement. Like</b></p> <p>14 <b>I say, I don't know what Paul was.</b></p> <p>15 Q. Higher approval to proceed with what?</p> <p>16 <b>A. Implementing a policy.</b></p> <p>17 Q. And there's a mention in the last sentence</p> <p>18 of "We would like to review the document with you</p> <p>19 prior to the 5/5 meeting in Glenview."</p> <p>20 What was the 5/5 meeting in Glenview?</p> <p>21 <b>A. 5/5 meeting in Glenview? That's a good</b></p> <p>22 <b>question. I don't remember the 5/5 meeting.</b></p> <p>23 <b>I would have thought that the 5 -- I</b></p> <p>24 <b>don't -- I can't answer that. I don't know.</b></p> <p>25 Q. Okay. That's fine. It was authored by</p>	<p style="text-align: right;">48</p> <p>1 Q. There's one. Okay. That's helpful.</p> <p>2 Did it make business sense to Kraft to</p> <p>3 develop an animal welfare policy so that it had</p> <p>4 responses to this kind of customer inquiry?</p> <p>5 <b>A. Absolutely.</b></p> <p>6 Q. And the second bullet notes that</p> <p>7 "Animal welfare is a growing societal concern,</p> <p>8 especially in the U.S. and the E.U."</p> <p>9 Was that -- aside from particular</p> <p>10 customers, was this general concern noted in the</p> <p>11 document something that mattered to Kraft?</p> <p>12 <b>A. Uh-huh. Yes. I'm sorry.</b></p> <p>13 Q. And why is that?</p> <p>14 <b>A. Well, we serve our customers, and our</b></p> <p>15 <b>customers' concerns need to be our concerns within</b></p> <p>16 <b>reason -- the ability to do business.</b></p> <p>17 Q. Okay. Makes sense.</p> <p>18 And if we turn to two pages later, page 6</p> <p>19 of the document, it ends in 24. And the third and</p> <p>20 fourth bullets down reference NGOs. We've talked</p> <p>21 a little bit about them.</p> <p>22 Were -- did the -- it mentions</p> <p>23 specifically "NGOs are well funded and effective</p> <p>24 at communicating their animal welfare concerns to</p> <p>25 consumers."</p>
<p style="text-align: right;">47</p> <p>1 Chris Beard. I apologize if we went over this</p> <p>2 before. I don't think we did.</p> <p>3 What was Chris Beard's involvement in</p> <p>4 animal welfare?</p> <p>5 <b>A. Chris Beard was part of the responsibility</b></p> <p>6 <b>group. He would work with Claire Regan. And so</b></p> <p>7 <b>his responsibility in this, it was as much his</b></p> <p>8 <b>baby as mine.</b></p> <p>9 Q. Okay. So Chris Beard was as knowledgeable</p> <p>10 about the recommended animal welfare policy at</p> <p>11 this time, right?</p> <p>12 <b>A. Yeah.</b></p> <p>13 Q. Okay. Let's look at the document,</p> <p>14 specifically at the page ending in 22, which</p> <p>15 is page 4 of the document.</p> <p>16 <b>A. Oh, okay.</b></p> <p>17 Q. Sir, it notes one, two, three, four</p> <p>18 bullets down that "Some customers are asking</p> <p>19 Kraft to ensure that the meat products they</p> <p>20 purchase come from animals which were treated</p> <p>21 humanely." Do you know which customers those</p> <p>22 were?</p> <p>23 <b>A. I do not know which customers these were.</b></p> <p>24 <b>One example, however, would be Applebee's bringing</b></p> <p>25 <b>this up. So there's one.</b></p>	<p style="text-align: right;">49</p> <p>1 Is that a statement you agree with?</p> <p>2 <b>A. Uh-huh.</b></p> <p>3 Q. Does it matter for Kraft to -- does it</p> <p>4 make business sense for Kraft to respond to the</p> <p>5 concerns of these NGOs because of the power these</p> <p>6 NGOs have in communicating with consumers and</p> <p>7 Kraft customers?</p> <p>8 <b>A. At this time I don't recall Kraft having</b></p> <p>9 <b>had a lot of pressure from the NGOs, but you could</b></p> <p>10 <b>see it coming with what happened at McDonald's, as</b></p> <p>11 <b>mentioned here. And it was a matter of time until</b></p> <p>12 <b>it passed to other areas.</b></p> <p>13 Q. It made sense to get out ahead of the</p> <p>14 issue?</p> <p>15 <b>A. I don't know that in 2006 we were ahead of</b></p> <p>16 <b>the issue really.</b></p> <p>17 Q. Yeah. Fair enough. Yeah. Okay.</p> <p>18 And let's look later in the document to</p> <p>19 the page ending in 0039, that's page 20 -- it's</p> <p>20 actually the very last page of this document.</p> <p>21 Do you see under "The potential benefits</p> <p>22 to Kraft," let's look at the second bullet. Do</p> <p>23 you see where it says "When customers request that</p> <p>24 Kraft meat certain animal welfare requirements, we</p> <p>25 will be able to communicate our policy and program</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

14 (Pages 50 to 53)

<p style="text-align: right;">50</p> <p>1 which will be consistent for all of our customers.  2 This will allow us to avoid multiple and  3 potentially costly compliance programs."  4 What does it mean to say consistent  5 standards was a benefit to Kraft?  6 <b>A. I obviously didn't write that line.</b>  7 Q. Fair enough.  8 <b>A. But if you -- you can't have one set of</b>  9 <b>standards for each different customer you serve,</b>  10 <b>because it's too difficult to manage. And not</b>  11 <b>to mention the fact that somewhere along the line</b>  12 <b>you may not be telling everyone the right thing if</b>  13 <b>you have too many people with too many different</b>  14 <b>ideas running around. So the idea was to have a</b>  15 <b>policy.</b>  16 <b>Now, obviously if we took the trade</b>  17 <b>recommendations, it's not going to make all of</b>  18 <b>the NGOs happy. For instance, with eggs the</b>  19 <b>big issue there was cage free everybody was after</b>  20 <b>and we didn't go that far. We went to the</b>  21 <b>industry-accepted practice.</b>  22 Q. Uh-huh.  23 <b>A. So while we were developing a consistent</b>  24 <b>set of principles that the, by and large, the</b>  25 <b>industry was already following. But it gave us a</b></p>	<p style="text-align: right;">52</p> <p>1 animal welfare policy?  2 <b>A. Yes.</b>  3 Q. Do you know exactly when Kraft formally  4 adopted the policy?  5 <b>A. I do not know when the -- I do not</b>  6 <b>know when they formally adopted the policy.</b>  7 <b>Practically it would have been when contract</b>  8 <b>changes came into place. So it wouldn't have been</b>  9 <b>tomorrow all of these things happened as they were</b>  10 <b>renewed.</b>  11 Q. Okay. And the policy was implemented  12 through contracts with suppliers, right?  13 <b>A. Through contracts and POs, as mentioned in</b>  14 <b>here.</b>  15 Q. Do you know why Kraft chose to implement  16 its policy through contractors with suppliers  17 rather than recommending its suppliers follow  18 certain practices?  19 <b>A. Contracts are agreed-to terms that must be</b>  20 <b>met. I can tell anybody that I'd like them to do</b>  21 <b>something.</b>  22 Q. Okay. And in the second page there's  23 some discussion -- in the second and third page,  24 actually, there's some discussion of audits.  25 <b>A. Uh-huh.</b></p>
<p style="text-align: right;">51</p> <p>1 <b>response that, again, would be consistent, maybe</b>  2 <b>not the best liked, but it's consistent to whoever</b>  3 <b>asked.</b>  4 Q. Okay.  5 (Amundson Deposition Exhibit  6 No. 10 marked for  7 identification.)  8 BY MS. CLAIR:  9 Q. So I hand you what we've marked as  10 Amundson 10. This is KRA00014791.  11 MS. ANSARI: After this one, Katie, let's  12 take a little break, just a couple of minutes.  13 MS. CLAIR: Yeah.  14 <b>A. Okay.</b>  15 BY MS. CLAIR:  16 Q. Do you know what this document is?  17 <b>A. Yeah. It's the -- I don't know if</b>  18 <b>this was a final draft, but it's certainly a</b>  19 <b>restatement primarily of what was the draft of the</b>  20 <b>deck.</b>  21 Q. And this was -- this doesn't have a date  22 on the face. I can represent that the electronic  23 date was 6/19/2006 on the document.  24 Was this Kraft's animal welfare policy?  25 Does this represent the substance of Kraft's</p>	<p style="text-align: right;">53</p> <p>1 Q. And it notes that "Suppliers will be  2 required to conduct a third-party animal welfare  3 audit on an annual basis."  4 Why was auditing a part of the Kraft  5 policy?  6 <b>A. Well, in the -- first of all, I need</b>  7 <b>to talk about the slaughter, because I'm not sure</b>  8 <b>how the egg audits went. I know that there was</b>  9 <b>something in UEP about that.</b>  10 Q. Uh-huh.  11 <b>A. But in slaughter proving that a third</b>  12 <b>party assesses the effectiveness of the stun and</b>  13 <b>kill were one of the keys to having a positive</b>  14 <b>animal welfare effect.</b>  15 <b>I mean, the idea is to make sure that the</b>  16 <b>animal is insensible before it's killed, and that</b>  17 <b>it's completely dead before disassembly takes</b>  18 <b>place.</b>  19 <b>And the way the industry approached that</b>  20 <b>was to have third-party auditors go in at least</b>  21 <b>once a year and measure X number of animals. It</b>  22 <b>was a program started by Temple Grandin. And that</b>  23 <b>was widely, widely accepted by the rest of the</b>  24 <b>slaughter industry.</b>  25 Q. So was it important for Kraft not just</p>



## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

15 (Pages 54 to 57)

<p style="text-align: right;">54</p> <p>1 that its suppliers have the appearance of having 2 animal welfare policies, but that they actually 3 practice what they preach? 4 <b>A. The objective of -- and you can tell that 5 with our Newberry plant, that we did the same 6 thing to ourselves.</b> 7 Q. Uh-huh. 8 <b>A. The objective was to meet the industry 9 standards for animal welfare and handling. It's 10 not -- I mean, that was obvious that something 11 had to be done that was -- that had numerical 12 data that was actually measured, that was actually 13 checked, otherwise what's the point?</b> 14 Q. Yeah. Okay. 15 A little further down under "Rationale," 16 the third sentence there notes that "Animal 17 welfare experts were involved in the formulation 18 of most of the industry guidelines." Is that 19 true? 20 <b>A. Uh-huh.</b> 21 Q. Is that true of UEP guidelines? 22 <b>A. I believe UEP had the committee that put 23 those -- that supposedly put those guidelines 24 together.</b> 25 Q. Are you referring to what's been called</p>	<p style="text-align: right;">56</p> <p>1 THE VIDEOGRAPHER: Going off the record at 2 10:02 a.m. 3 (Recess taken.) 4 THE VIDEOGRAPHER: We're back on the 5 record at 10:11 a.m. 6 MS. ANSARI: Are they still on the line? 7 MS. CLAIR: Are you guys still on the 8 line? We're just back from a break. 9 MS. MARKOWITZ: I am still on the line. 10 MR. MONICA: Yup, still here. 11 MS. CLAIR: Okay. Great. 12 (Amundson Deposition Exhibit 13 No. 11 marked for 14 identification.) 15 BY MS. CLAIR: 16 Q. Okay, Mr. Amundson. I'm going to hand you 17 Exhibit 11. This is KRA00014900. I'll let you 18 review. 19 <b>A. Okay.</b> 20 Q. Do you know what this document is? 21 <b>A. Yes.</b> 22 Q. And what is this? 23 <b>A. It's a list of potential third-party 24 auditors that were doing animal welfare audits.</b> 25 Q. Okay. And you say potential. Was Kraft</p>
<p style="text-align: right;">55</p> <p>1 the Scientific Advisory Committee? 2 <b>A. Yeah.</b> 3 Q. Did you review who the members were of 4 that Scientific Advisory Committee at that point? 5 <b>A. I read the names. It's included in the 6 UEP guidelines.</b> 7 Q. Okay. Was it your understanding when you 8 were working on these animal welfare issues that 9 that Scientific Advisory Committee had real input 10 into the development of the UEP guidelines? 11 <b>A. That was my assumption.</b> 12 Q. Uh-huh. Okay. 13 <b>A. Why else would you be saying that?</b> 14 Q. Right. Right. 15 And did you ever come across any evidence 16 that that wasn't the case? 17 <b>A. Explain, please.</b> 18 Q. Did you -- did anything ever undermine 19 that assumption? 20 <b>A. No.</b> 21 Q. No. Okay. 22 MS. CLAIR: I think that's it for this 23 document. We can take our break. 24 MS. ANSARI: Okay. Let's take like a 25 5-minute break.</p>	<p style="text-align: right;">57</p> <p>1 considering approving the auditors that would do 2 its surprise animal welfare audits? 3 <b>A. Nearly all beef and pork were using either 4 Silliker and Cook &amp; Thurber. So they -- we would 5 not direct somebody to use them as long as they 6 were a recognized third-party auditor.</b> 7 Q. Okay. Did Kraft undertake an assessment 8 of which auditors would be approved? 9 <b>A. No.</b> 10 Q. No? 11 <b>A. Not that I'm aware of.</b> 12 Q. No independent assessment at Kraft? Okay. 13 (Amundson Deposition Exhibit 14 No. 12 marked for 15 identification.) 16 BY MS. CLAIR: 17 Q. I'll hand you what we'll mark as 18 Exhibit 16 -- no, that's Exhibit 12. This is 19 KRA00027934. 20 <b>A. Okay.</b> 21 Q. Is this an email that you wrote on 22 January 20, 2005? 23 <b>A. Yes. That's what it says.</b> 24 Q. Okay. And the subject is "Animal Welfare 25 Call List." Is that right?</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

16 (Pages 58 to 61)

<p style="text-align: right;">58</p> <p>1 <b>A. Uh-huh.</b></p> <p>2 Q. You note here that "My plan is to</p> <p>3 contact most of the people on this list with the</p> <p>4 objective of obtaining results from animal Welfare</p> <p>5 audits that have been performed in their plants or</p> <p>6 recommending audits if they have not been</p> <p>7 performed." Is that right?</p> <p>8 <b>A. Yes.</b></p> <p>9 Q. Do you recall reaching out to</p> <p>10 Michael Foods around this time?</p> <p>11 <b>A. Yes. I think it was later, but yes, I did</b></p> <p>12 <b>reach out to them.</b></p> <p>13 Q. Later to -- did you recommend an audit to</p> <p>14 Michael Foods?</p> <p>15 <b>A. No. I asked them what their animal</b></p> <p>16 <b>welfare program was.</b></p> <p>17 Q. Okay. And did they indicate to you that</p> <p>18 they had an animal welfare program that included</p> <p>19 auditing?</p> <p>20 <b>A. They explained to me that they followed</b></p> <p>21 <b>the Canadian required --</b></p> <p>22 <b>This is Michael Foods Canada.</b></p> <p>23 Q. Oh, okay, okay.</p> <p>24 <b>A. -- the Canadian animal welfare</b></p> <p>25 <b>requirements.</b></p>	<p style="text-align: right;">60</p> <p>1 <b>completely sure. The list was of buyer contacts.</b></p> <p>2 <b>So typically it would have been a two level.</b></p> <p>3 Q. And what does two level mean?</p> <p>4 <b>A. The buyer wouldn't necessarily know the</b></p> <p>5 <b>animal welfare, but he would know who was in</b></p> <p>6 <b>charge of it at the company.</b></p> <p>7 Q. Would he make an introductory phone call</p> <p>8 before yours generally?</p> <p>9 <b>A. Probably. Maybe not. They were used to</b></p> <p>10 <b>it.</b></p> <p>11 Q. Okay. And the question I'm getting at</p> <p>12 here is with respect to Rose Acre, do you know</p> <p>13 whether this was the first time that anyone from</p> <p>14 Kraft reached out to Rose Acre to inquire about</p> <p>15 its animal welfare practices?</p> <p>16 <b>A. I don't know.</b></p> <p>17 Q. You don't know. Okay. That's fine.</p> <p>18 (Amundson Deposition Exhibit</p> <p>19 No. 13 marked for</p> <p>20 identification.)</p> <p>21 BY MS. CLAIR:</p> <p>22 Q. I'm going to hand you what was marked</p> <p>23 Exhibit 13. This might be one of the ones you</p> <p>24 were discussing. This is KRA00027999.</p> <p>25 <b>A. Okay.</b></p>
<p style="text-align: right;">59</p> <p>1 Q. Did you ever reach out to Michael Foods'</p> <p>2 US locations?</p> <p>3 <b>A. No.</b></p> <p>4 Q. And you mentioned earlier on that you</p> <p>5 reached out to Rose Acre.</p> <p>6 <b>A. Rose Acre.</b></p> <p>7 Q. Did you do that around this 2005 time</p> <p>8 frame?</p> <p>9 <b>A. I can't tell you the exact date. There's</b></p> <p>10 <b>a letter that was in the documents that had the</b></p> <p>11 <b>date of the reply, which was a couple of weeks</b></p> <p>12 <b>later.</b></p> <p>13 Q. Okay. We'll just skip to that.</p> <p>14 Did you reach out to any other egg</p> <p>15 producers?</p> <p>16 <b>A. No.</b></p> <p>17 Q. At any time?</p> <p>18 <b>A. No.</b></p> <p>19 Q. Okay. Did -- you have a question here in</p> <p>20 the email, question one. "Can I contact these</p> <p>21 individuals cold concerning animal welfare or do</p> <p>22 they need a heads-up?"</p> <p>23 Did you receive a response to this</p> <p>24 question from your team?</p> <p>25 <b>A. I believe cold was fine, but I'm not</b></p>	<p style="text-align: right;">61</p> <p>1 Q. Do you recognize this document?</p> <p>2 <b>A. Uh-huh.</b></p> <p>3 Q. What is this document?</p> <p>4 <b>A. It's a response to a -- to the phone call</b></p> <p>5 <b>that I made to Rose Acre.</b></p> <p>6 Q. Okay. And it's an email chain with two</p> <p>7 emails in it, right?</p> <p>8 <b>A. Yes. Actually --</b></p> <p>9 Q. Oh, you're right. There's a -- are there</p> <p>10 three emails in this?</p> <p>11 <b>A. No. I think there's only two. Two.</b></p> <p>12 Q. Yeah, there's two. Okay.</p> <p>13 Let's look at the bottom email here, which</p> <p>14 looks like an email from you to Greg Hinton. Do</p> <p>15 you see that?</p> <p>16 <b>A. Uh-huh.</b></p> <p>17 Q. And this is May 20, 2005, right?</p> <p>18 <b>A. Correct.</b></p> <p>19 Q. And you note, you say "Greg, enjoyed</p> <p>20 discussion poultry animal welfare with you and</p> <p>21 KY today."</p> <p>22 Is KY someone else at Rose Acre?</p> <p>23 <b>A. I don't remember.</b></p> <p>24 Q. You don't remember. Okay.</p> <p>25 Is Greg employed by Rose Acre?</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

17 (Pages 62 to 65)

<p style="text-align: right;">62</p> <p>1       <b>A. That would be Greg Hinton.</b>  2       Q. Greg Hinton.  3       <b>A. I thought he was. It says "GoodEgg.com,"</b>  4       <b>though, so I'm not sure, up here.</b>  5       Q. Okay. And your email goes on, "The  6       address information for the latest audit is as  7       follows," and it provides your address.  8       In that conversation had you asked  9       Rose Acre to send you their latest animal welfare  10      audit?  11      <b>A. If they communicated that they had done</b>  12      <b>the audits, I asked them to send me an example.</b>  13      Q. Okay. And Greg replies here, if you look  14      at the email above, it says "We will be sending  15      you the audit information today."  16      And he goes on "Will you be including the  17      UEP animal welfare program as a requirement in the  18      upcoming egg bid?" Do you see that?  19      <b>A. Uh-huh.</b>  20      Q. And he goes on to ask whether "Kraft has  21      an interest in putting the animal care certified  22      logo on its labels." Do you see that?  23      <b>A. Yes.</b>  24      Q. Did you ever respond to those questions  25      from him?</p>	<p style="text-align: right;">64</p> <p>1       your previous request?  2       <b>A. Uh-huh.</b>  3       Q. Okay. Let's look to the bottom of this  4       first page here. The third line up, do you see  5       where it notes "You will see a time period for  6       implementations of cage space allowances for  7       layers."  8       <b>A. Uh-huh.</b>  9       Q. "This part was staged to make sure that  10      we as an industry do not short the market,  11      therefore having less supply, which will cause  12      problems for our customers."  13      Did Kraft have any position on the time  14      period for implementing the UEP's space allowance  15      for layers?  16      <b>A. Explain.</b>  17      Q. So he notes that with respect to the  18      UEP policy, there's a certain time period for  19      implementing cage space, and that the  20      implementation of the UEP cage space policy was  21      staged, meaning rather than done all at once.  22      And it was done that way to ensure that the  23      industry didn't short the market.  24      <b>A. Uh-huh.</b>  25      Q. Did Kraft have a position on whether or</p>
<p style="text-align: right;">63</p> <p>1       <b>A. I did not, because I'm not involved in</b>  2       <b>the egg bids or egg contracts.</b>  3       Q. Okay. Do you know whether anyone else at  4       Kraft responded?  5       <b>A. I don't know if anybody else responded.</b>  6       Q. Okay. Do you know whether Kraft ever put  7       an animal care certified or UEP certified logo on  8       any products?  9       <b>A. To the best of my knowledge, we never did.</b>  10      Q. Okay.  11              (Amundson Deposition Exhibit  12              No. 14 marked for  13              identification.)  14      BY MS. CLAIR:  15      Q. I'll hand you what we'll mark as  16      Exhibit 14, KRA00049855.  17      MR. CAMPBELL: What number is this?  18      MS. ANSARI: Fourteen.  19      BY MS. CLAIR:  20      Q. Okay. Do you know what this document is?  21      <b>A. Uh-huh.</b>  22      Q. What is this document?  23      <b>A. It's the response to the previous request</b>  24      <b>from -- to Rose Acre.</b>  25      Q. Okay. This is Rose Acre's response to</p>	<p style="text-align: right;">65</p> <p>1       not it favored a staged approach as opposed to an  2       all-at-once approach or position?  3       <b>A. No, not that I'm aware of.</b>  4       Q. Did you or your work on the animal welfare  5       committee consider how the UEP animal welfare  6       guidelines might have affected the supply of eggs,  7       if at all?  8       <b>A. No.</b>  9       Q. Your concern was more with the other  10      aspects of animal welfare?  11      <b>A. I was much more in depth with slaughter</b>  12      <b>and the handling of animals for slaughter.</b>  13      Q. Okay. And the next page at the very top  14      notes that "Below is a list of committee members  15      that served on the independent scientific advisory  16      committee."  17      Is that the committee that we talked about  18      earlier on?  19      <b>A. Uh-huh.</b>  20      Q. Okay. He says "As you can see, we have  21      tried very hard to find the best people in their  22      field to help develop a program that will hold up  23      against pressure from groups that are opposed to  24      egg production."  25      Do you understand that to be the case?</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

18 (Pages 66 to 69)

<p style="text-align: right;">66</p> <p>1 <b>A. Do I know any of these people personally?</b>  2 <b>No.</b>  3 Q. No. Fair enough.  4 (Amundson Deposition Exhibit  5 No. 15 marked for  6 identification.)  7 BY MS. CLAIR:  8 Q. I'll hand you what we'll mark as  9 Exhibit 15. This is KRA00004845. I only have  10 questions about a few of the specifics on there.  11 You don't have to read the whole thing.  12 So I wanted to let you get a lay of the  13 land for what it is for a moment, but do you know  14 what this document is?  15 <b>A. I actually didn't attend this meeting. I</b>  16 <b>wish I had because I was very interested in the</b>  17 <b>subject, but for some reason I wasn't there.</b>  18 Q. Okay. And was this Power Point prepared  19 for a meeting?  20 <b>A. Yes. It was a presentation.</b>  21 Q. Okay. Okay. Was it common for Kraft to  22 periodically create Power Points ahead of meetings  23 like this one?  24 <b>A. Okay. This is, I believe, one from the</b>  25 <b>presentation to us.</b></p>	<p style="text-align: right;">68</p> <p>1 BY MS. CLAIR:  2 Q. Do you know --  3 <b>A. My belief is this would be helping us get</b>  4 <b>introduced to animal welfare concept for the team</b>  5 <b>and MPPCT probably, but I don't know who was in</b>  6 <b>attendance at this meeting.</b>  7 Q. Okay. Because you weren't at the meeting  8 itself?  9 <b>A. Because I wasn't at the meeting.</b>  10 Q. I can represent to you that this document  11 was in your files.  12 <b>A. Okay.</b>  13 Q. Is this something that you looked at at  14 the time?  15 <b>A. I must have got a copy then.</b>  16 Q. Fair then. Let's just look at the  17 page ending in 4850. It's, like, the fifth page  18 of this document.  19 Does this page recount some history about  20 how formal auditing started with respect to animal  21 welfare?  22 <b>A. I can only say that's what the author</b>  23 <b>thought it did.</b>  24 Q. Okay. Okay. It discusses McDonald's.  25 Are you familiar with McDonald's history with</p>
<p style="text-align: right;">67</p> <p>1 Q. Okay. And what makes you think that?  2 <b>A. Because I think -- I thought this was</b>  3 <b>Kellye Pfalzgraf.</b>  4 Q. Oh, I see. On the very last page there's  5 someone named Kellye Pfalzgraf?  6 <b>A. Okay. From Tyson.</b>  7 Q. From Tyson.  8 Okay. This was a presentation from  9 Tyson Foods, which you noted was a Kraft supplier?  10 <b>A. Correct.</b>  11 Q. To Kraft?  12 <b>A. Correct.</b>  13 Q. On the vert front it says "Oscar Mayer  14 Animal Well-Being." Oscar Mayer is a --  15 <b>A. Being the receiver.</b>  16 Q. And Oscar Mayer is a Kraft brand?  17 <b>A. I'm sorry, that's where I worked,</b>  18 <b>Oscar Mayer Kraft Foods.</b>  19 Q. Perfect. Okay. Was this a meeting that  20 Kraft asked for, was this a meeting that Tyson  21 called?  22 MS. ANSARI: Objection, speculation.  23 THE WITNESS: You're right, it is  24 speculation.  25</p>	<p style="text-align: right;">69</p> <p>1 respect to animal welfare?  2 <b>A. Explain.</b>  3 Q. Sure. Well, specifically it discusses  4 some events. The first bullet notes that "In  5 1997 McDonald's was found culpably responsible for  6 cruelty to animals in the British High Courts."  7 It goes on to note that "McDonald's  8 thereafter met with Temple Grandin and met with  9 PETA to discuss animal welfare." Are you familiar  10 with those events?  11 <b>A. No, I'm not familiar with those events,</b>  12 <b>no.</b>  13 Q. Okay. That's fine. Let's look at  14 the page ending in 4851. This is titled  15 "PETA Campaigns," right?  16 <b>A. Uh-huh.</b>  17 Q. And it notes campaigns with McDonald's,  18 Burger King, Wendy's and KFC, right?  19 <b>A. Uh-huh.</b>  20 Q. And next to each is a time period, first  21 11 months, 5 months, 2 months.  22 With the exception of KFC, these are  23 generally getting shorter, aren't they?  24 <b>A. That's what it says.</b>  25 Q. That's what it says. Okay. Fair enough.</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

19 (Pages 70 to 73)

<p style="text-align: right;">70</p> <p>1 Okay.</p> <p>2 Do you know whether the end periods listed</p> <p>3 here represent the company reaching some agreement</p> <p>4 with PETA or something else?</p> <p>5 <b>A. No, I don't know what the end result of</b></p> <p>6 <b>these would have been.</b></p> <p>7 Q. Okay. Fair enough.</p> <p>8 Let's turn two pages ahead to the page</p> <p>9 ending 4853. And this one is titled "PETA." And</p> <p>10 the first bullet says "Purchase common stock in</p> <p>11 companies." There's a list of companies that</p> <p>12 includes Tyson and it includes Applebee's, right?</p> <p>13 <b>A. Uh-huh.</b></p> <p>14 Q. Do you know what's the implication for</p> <p>15 food companies when PETA purchases stock in those</p> <p>16 companies?</p> <p>17 MS. ANSARI: Objection, speculation.</p> <p>18 MS. CLAIR: Oh, you can -- the lawyers</p> <p>19 object for the record.</p> <p>20 MS. ANSARI: Sorry. You can answer.</p> <p>21 MS. CLAIR: I should have gone over that</p> <p>22 in the beginning. It's for the record and for us</p> <p>23 and the Judge.</p> <p>24 <b>A. My understanding is typically it's to be</b></p> <p>25 <b>able to bring up issues at the stockholder's</b></p>	<p style="text-align: right;">72</p> <p>1 Q. Do you know generally who are members of</p> <p>2 FMI, what kind of companies?</p> <p>3 <b>A. No, I don't know who would be members of</b></p> <p>4 <b>that.</b></p> <p>5 Q. Do you know what the NCCR is?</p> <p>6 <b>A. Just the name. I mean, these are one of</b></p> <p>7 <b>the first people to get involved in animal welfare</b></p> <p>8 <b>auditing.</b></p> <p>9 Q. And how are they first involved in animal</p> <p>10 welfare auditing?</p> <p>11 <b>A. They developed a program and auditors to</b></p> <p>12 <b>do third-party auditing, I believe. I was never</b></p> <p>13 <b>involved in them because we did -- AMI was the</b></p> <p>14 <b>preferred audit program.</b></p> <p>15 Q. Okay. Do you have any knowledge of</p> <p>16 whether anyone at Kraft was a member of or</p> <p>17 participated in FMI or NCCR?</p> <p>18 <b>A. I don't have any knowledge that anyone</b></p> <p>19 <b>was.</b></p> <p>20 Q. Okay. I'll do this anyway.</p> <p>21 (Amundson Deposition Exhibit</p> <p>22 No. 16 marked for</p> <p>23 identification.)</p> <p>24 BY MS. CLAIR:</p> <p>25 Q. I'm going to hand you Exhibit 16. I'll</p>
<p style="text-align: right;">71</p> <p>1 <b>meeting.</b></p> <p>2 BY MS. CLAIR:</p> <p>3 Q. Okay. And was that a concern to</p> <p>4 companies in the food industry, that PETA might</p> <p>5 do that?</p> <p>6 <b>A. Well, they did it so.</b></p> <p>7 Q. Well, let me clarify. When that happens,</p> <p>8 is that a problem for those companies?</p> <p>9 <b>A. I can't answer for the people who would be</b></p> <p>10 <b>dealing with those.</b></p> <p>11 Q. Uh-huh.</p> <p>12 <b>A. But I'm -- I'm sure it must be, but I</b></p> <p>13 <b>can't answer why.</b></p> <p>14 Q. Okay. Did you ever hear anything within</p> <p>15 Kraft about concern that PETA might take that kind</p> <p>16 of action with respect to Kraft?</p> <p>17 <b>A. No. Vaguely, but I don't remember</b></p> <p>18 <b>anything about it.</b></p> <p>19 Q. Okay. Let's turn a little further to</p> <p>20 the page ending in 4872. This page is titled</p> <p>21 "FMI/NCCR Animal Welfare Goals." Are you familiar</p> <p>22 with what FMI is?</p> <p>23 <b>A. Food Manufacturing Institute or Food</b></p> <p>24 <b>Marketing. It's a food group much like AMI would</b></p> <p>25 <b>be for the meats.</b></p>	<p style="text-align: right;">73</p> <p>1 give you a chance to review.</p> <p>2 Okay. I can represent to you that this</p> <p>3 document was produced in your files --</p> <p>4 <b>A. Yup.</b></p> <p>5 Q. -- from hard copies, so there's no</p> <p>6 electronic date.</p> <p>7 Do you know what this document is?</p> <p>8 <b>A. This would have been a comparison</b></p> <p>9 <b>between -- that I suspect FMI and the NCCR did</b></p> <p>10 <b>comparing -- determining whether they believed</b></p> <p>11 <b>in the -- or how much they accepted the animal</b></p> <p>12 <b>welfare guidelines produced by these trade groups.</b></p> <p>13 Q. And with respect to the United Egg</p> <p>14 Producers in the second row down, this document</p> <p>15 notes that "FMI and NCCR endorsed the production,</p> <p>16 handling, transportation, processing and</p> <p>17 euthanasia guidelines for layers of shell and</p> <p>18 breaking eggs in 2002," right?</p> <p>19 Do you have any knowledge apart from this</p> <p>20 document of that endorsement happening?</p> <p>21 <b>A. No.</b></p> <p>22 Q. Did anyone at Kraft involved in the</p> <p>23 animal welfare task force discuss with you</p> <p>24 whether it mattered to Kraft what FMI and NCCR</p> <p>25 had to say about these guidelines?</p>



## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

20 (Pages 74 to 77)

<p style="text-align: right;">74</p> <p>1 <b>A. I don't recall anybody mentioning that to</b> 2 <b>me.</b> 3 <b>Q. Okay. Fair enough.</b> 4 Do you know why you received this 5 document? 6 <b>A. I probably found it because it would have</b> 7 <b>been a -- it would have been something that would</b> 8 <b>have been interesting in the overall scheme of</b> 9 <b>whether these were really right or not. And they</b> 10 <b>basically accepted them so -- but we still were --</b> 11 <b>AMI had a nice program.</b> 12 <b>Q. Uh-huh. Did the AMI -- AMI's program</b> 13 <b>didn't have provisions having to do with eggs,</b> 14 <b>did it?</b> 15 <b>A. No.</b> 16 <b>Q. Okay. And how would it have been</b> 17 <b>interesting to you that FMI and NCCR were</b> 18 <b>endorsing the UEP program?</b> 19 <b>A. Well, okay, FMI and NCCR were the, as</b> 20 <b>I recall, one of the first people to start putting</b> 21 <b>out third-party audits.</b> 22 <b>And so, you know, they took a run at it,</b> 23 <b>and I don't remember what any of their guidelines</b> 24 <b>or know what any of their guidelines are, but it</b> 25 <b>would have been interesting because they were the</b></p>	<p style="text-align: right;">76</p> <p>1 skipped it. The last exhibit was KRA49658 was 2 Exhibit 16. 3 THE WITNESS: Okay. 4 BY MS. CLAIR: 5 <b>Q. Okay. Do you know what this document is?</b> 6 <b>A. I don't remember seeing this document</b> 7 <b>before. As I'm reading it, Cargill value added</b> 8 <b>meats were pizza topping manufacturers for us.</b> 9 <b>They weren't beef and pork suppliers like</b> 10 <b>Cargill beef and pork were.</b> 11 <b>Q. Okay. Makes sense. I can represent it</b> 12 <b>was located in your files, but you might not</b> 13 <b>recall it.</b> 14 <b>A. Okay.</b> 15 <b>Q. Apart from the document, was Cargill value</b> 16 <b>meat suppliers one of the companies that you</b> 17 <b>reached out to beginning January of 2005 to</b> 18 <b>inquire about their animal welfare practices?</b> 19 <b>A. I don't recall doing that. It's possible</b> 20 <b>that I did.</b> 21 <b>Once again, they were using meats to</b> 22 <b>further process meats. I would have talked to</b> 23 <b>Cargill beef and pork.</b> 24 <b>Q. Beef and pork. Okay. Okay.</b> 25</p>
<p style="text-align: right;">75</p> <p>1 <b>first to take a run at it.</b> 2 <b>Q. Uh-huh. So their --</b> 3 <b>A. Third-party.</b> 4 <b>Q. -- opinion would have been interesting</b> 5 <b>because of their early involvement?</b> 6 <b>A. Well, especially if it came up with</b> 7 <b>something significantly different than what the</b> 8 <b>producer organization had indicated.</b> 9 <b>Q. Okay. Before I give you this document,</b> 10 <b>let me see, are you familiar with the company</b> 11 <b>Cargill?</b> 12 <b>A. Uh-huh.</b> 13 <b>Q. What was Cargill's relationship with</b> 14 <b>Kraft, if any?</b> 15 <b>A. They were a supplier.</b> 16 <b>Q. They were a supplier, okay.</b> 17 <b>A. Cargill Meat Solutions.</b> 18 <b>Q. Okay.</b> 19 (Amundson Deposition Exhibit 20 No. 17 marked for 21 identification.) 22 BY MS. CLAIR: 23 <b>Q. Let me hand you Exhibit 17. This is</b> 24 <b>KRA00026000.</b> 25 <b>MS. CLAIR: For those on the phone I</b></p>	<p style="text-align: right;">77</p> <p>1 (Amundson Deposition Exhibit 2 No. 18 marked for 3 identification.) 4 BY MS. CLAIR: 5 <b>Q. I hand you what we've marked as</b> 6 <b>Exhibit 18. This is KRA40. The question is</b> 7 <b>about a few pages, but I'll just let you get a</b> 8 <b>lay of the land of the document there. Okay?</b> 9 <b>A. Should I be reading the whole thing?</b> 10 <b>Q. No, no, no. I just want to make sure you</b> 11 <b>understand what this is.</b> 12 <b>Let's look at the cover email here.</b> 13 <b>A. Okay.</b> 14 <b>Q. Or the cover document. Do you know what</b> 15 <b>this is?</b> 16 <b>A. I was organizing a meeting.</b> 17 <b>Q. Okay. This is a meeting request that you</b> 18 <b>sent. And these required attendees include</b> 19 <b>yourself, Jose Rojo, Greg Hite and William Paulos.</b> 20 <b>We discussed Jose and William. Who is</b> 21 <b>Greg Hite?</b> 22 <b>A. Greg Hite at that time was poultry</b> 23 <b>procurement.</b> 24 <b>Q. And the subject of the meeting is</b> 25 <b>"Prep Meeting - Sustainable Agricultural -</b></p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

21 (Pages 78 to 81)

<p style="text-align: right;">78</p> <p>1 Meat Animals," right?</p> <p>2 <b>A. Correct.</b></p> <p>3 Q. You have a note here that "Francisco</p> <p>4 Pileggi will be visiting on Thursday..."</p> <p>5 Who is Mr. Pileggi?</p> <p>6 <b>A. He was a part of Kraft buying meat from</b></p> <p>7 <b>South America for the Italians canned meat</b></p> <p>8 <b>production.</b></p> <p>9 Q. Okay. What was the purpose of the</p> <p>10 upcoming meeting with him?</p> <p>11 <b>A. You've got me on that one. I don't</b></p> <p>12 <b>remember what the point of that was.</b></p> <p>13 <b>My guess is I would have asked to organize</b></p> <p>14 <b>something because other people were busy.</b></p> <p>15 Q. Okay. Fair enough. I know this is awhile</p> <p>16 ago.</p> <p>17 This document references an attachment,</p> <p>18 right, as attaching an analysis of dairy performed</p> <p>19 by an outside firm last year. Do you see that?</p> <p>20 <b>A. Uh-huh.</b></p> <p>21 Q. Okay. Let's look at that attachment, the</p> <p>22 first page here.</p> <p>23 The first page has a Kraft logo, right?</p> <p>24 <b>A. Uh-huh.</b></p> <p>25 Q. Was this prepared for Kraft by the</p>	<p style="text-align: right;">80</p> <p>1 Q. It could be, you just don't know. Okay.</p> <p>2 That's fine.</p> <p>3 And if you look at this bottom chart here,</p> <p>4 it notes "Freedom from sticks" --</p> <p>5 <b>A. Uh-huh.</b></p> <p>6 Q. -- "and carrots."</p> <p>7 Is this document discussing the various</p> <p>8 benefits to Kraft of focusing on sustainability</p> <p>9 efforts?</p> <p>10 <b>A. As I read this, that's what it looks like</b></p> <p>11 <b>to me.</b></p> <p>12 Q. Okay. And just taking a look at the</p> <p>13 list under "freedom from sticks," the list under</p> <p>14 "carrots," do you agree that these reasons would</p> <p>15 apply to Kraft's animal welfare efforts</p> <p>16 specifically?</p> <p>17 <b>A. There's some of the carrots that I don't</b></p> <p>18 <b>see an immediate to animal welfare, but, I mean,</b></p> <p>19 <b>in general, yes.</b></p> <p>20 Q. Uh-huh. And this looks like it's</p> <p>21 discussing sustainability as a general category,</p> <p>22 right?</p> <p>23 So some of these might be not as specific</p> <p>24 to animal welfare.</p> <p>25 But let's look under "Freedom from sticks,</p>
<p style="text-align: right;">79</p> <p>1 Morgan &amp; Myers firm referenced on the first page?</p> <p>2 <b>A. That's my assumption, yes.</b></p> <p>3 Q. Was this something that Kraft commissioned</p> <p>4 this company to prepare?</p> <p>5 <b>A. I would not have knowledge of how this</b></p> <p>6 <b>came about in the dairy area.</b></p> <p>7 Q. Okay. This was something that you</p> <p>8 reviewed, but you might not have been as familiar</p> <p>9 with why it was created?</p> <p>10 MS. ANSARI: Objection, form.</p> <p>11 You can answer.</p> <p>12 THE WITNESS: Okay.</p> <p>13 <b>A. I wouldn't have been reviewing this. I</b></p> <p>14 <b>probably would have received it because it had to</b></p> <p>15 <b>do with the sustainability.</b></p> <p>16 BY MS. CLAIR:</p> <p>17 Q. Okay. Let's look at the page ending in</p> <p>18 45. Now, the first bullet here asks the question</p> <p>19 "How did dairy sustainability/CSR efforts pay off</p> <p>20 for Kraft?"</p> <p>21 What is CSR?</p> <p>22 <b>A. I don't know.</b></p> <p>23 Q. Okay. Might it be Corporate Social</p> <p>24 Responsibility?</p> <p>25 <b>A. It could well be.</b></p>	<p style="text-align: right;">81</p> <p>1 not subject to NGO tax."</p> <p>2 Is that a reason that it made business</p> <p>3 sense for Kraft to develop an animal welfare</p> <p>4 policy?</p> <p>5 <b>A. I don't think you're not subject to those</b></p> <p>6 <b>taxes, but at least you have a policy in place.</b></p> <p>7 <b>The NGOs typically would be much more,</b></p> <p>8 <b>much -- I would think would have much higher</b></p> <p>9 <b>levels of requirements than our -- the industry</b></p> <p>10 <b>position, than the industry position or industry</b></p> <p>11 <b>welfare policies. So I don't know that it frees</b></p> <p>12 <b>you from tax.</b></p> <p>13 Q. There's a note at the bottom "Avert loss</p> <p>14 to competitors more in line with new consumer</p> <p>15 values."</p> <p>16 Is that another reason that it made</p> <p>17 business sense for Kraft to develop an animal</p> <p>18 welfare policy?</p> <p>19 <b>A. At the end of the day, yes.</b></p> <p>20 Q. Okay. Let's turn to the page ending in</p> <p>21 48. It's just a few pages later.</p> <p>22 The fourth bullet down, do you see where</p> <p>23 it notes that "Kraft likely to be 'called on' to</p> <p>24 influence change within supply chain."</p> <p>25 Below that it notes "Big brand equals big</p>



## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

22 (Pages 82 to 85)

<p style="text-align: right;">82</p> <p>1 target."</p> <p>2 It goes on to discuss, it says "Kraft</p> <p>3 equals supplier of big brands, such as Walmart,</p> <p>4 McDonald's, which are likely to be a target or be</p> <p>5 proactive."</p> <p>6 Finally, it notes that "How well we work</p> <p>7 with our supply chain can be a brand asset."</p> <p>8 <b>A. Uh-huh.</b></p> <p>9 Q. Do you agree that these are some of the</p> <p>10 reasons that it made sense for Kraft to adopt an</p> <p>11 animal welfare policy?</p> <p>12 <b>A. I would say that those were the -- that</b></p> <p>13 <b>was the assessment of Morgan &amp; Myers.</b></p> <p>14 Q. Morgan &amp; Myers.</p> <p>15 Do you agree with those?</p> <p>16 <b>A. Yeah, it makes sense.</b></p> <p>17 Q. Okay. Let's turn farther back to the</p> <p>18 page ending in 80. Okay. So this looks like a</p> <p>19 cover page. It's called "Competitive Dynamics.</p> <p>20 Are we in step with our customers and peers?"</p> <p>21 Right?</p> <p>22 <b>A. That's what it says.</b></p> <p>23 Q. Okay. Sorry. Then the next three pages</p> <p>24 have some charts, don't they?</p> <p>25 Let's look, if we could, at the first</p>	<p style="text-align: right;">84</p> <p>1 see a list of topics I guess we can call them,</p> <p>2 organic, animal welfare, BST.</p> <p>3 And under "animal welfare" there are Xs by</p> <p>4 some of the companies.</p> <p>5 <b>A. Uh-huh.</b></p> <p>6 Q. What do those Xs mean?</p> <p>7 <b>A. Those Xs mean there's some activity going</b></p> <p>8 <b>on by those companies, something on the website</b></p> <p>9 <b>or -- well, first of all, Morgan &amp; Myers did this.</b></p> <p>10 Q. Uh-huh.</p> <p>11 <b>A. So I'm assuming that that's what these</b></p> <p>12 <b>things mean.</b></p> <p>13 Q. Okay. That's your interpretation of this</p> <p>14 document?</p> <p>15 <b>A. That's my interpretation of it.</b></p> <p>16 Q. Okay. This document -- so this document</p> <p>17 is noting that one, two, three, four, five, six,</p> <p>18 seven, eight, nine, nine of these companies here</p> <p>19 that Morgan &amp; Myers identified as customers or</p> <p>20 maybe potential customers --</p> <p>21 <b>A. Well --</b></p> <p>22 Q. -- had some activity on?</p> <p>23 <b>A. -- five of them as customers or potential</b></p> <p>24 <b>customers.</b></p> <p>25 Q. Right. Fair enough. Let's look at those</p>
<p style="text-align: right;">83</p> <p>1 chart on the page ending in 81.</p> <p>2 <b>A. Uh-huh.</b></p> <p>3 Q. So this chart is titled "Customer</p> <p>4 Activity," and down the left we see a list of</p> <p>5 organizations.</p> <p>6 Are those organizations Kraft customers?</p> <p>7 <b>A. The top would -- well, forgetting what</b></p> <p>8 <b>happened in the last year since I've been gone,</b></p> <p>9 <b>the top would have been customers, the bottom</b></p> <p>10 <b>would not be, at least our division within my</b></p> <p>11 <b>knowledge.</b></p> <p>12 Q. Okay.</p> <p>13 <b>A. I don't know if there's egg suppliers or</b></p> <p>14 <b>anything there.</b></p> <p>15 Q. Okay. So the bottom, meaning starting</p> <p>16 with McDonald's?</p> <p>17 <b>A. McDonald's.</b></p> <p>18 Q. Okay. So those above, the companies</p> <p>19 listed above, were in the time period that you</p> <p>20 were at Kraft, customers of Kraft?</p> <p>21 <b>A. I can't directly speak for Ahold or Tesco.</b></p> <p>22 Q. Okay. Fair enough.</p> <p>23 <b>A. I know Walmart was, I know Carter was,</b></p> <p>24 <b>Safeway obviously, yes.</b></p> <p>25 Q. Okay. And across the top of this chart I</p>	<p style="text-align: right;">85</p> <p>1 five, okay, five of those at the top that had some</p> <p>2 animal welfare activity going on?</p> <p>3 MS. ANSARI: Objection, form.</p> <p>4 <b>A. Okay.</b></p> <p>5 BY MS. CLAIR:</p> <p>6 Q. Let's look at the next page called</p> <p>7 "Peer Activity." This looks like a similar</p> <p>8 chart except the organizations down the side are</p> <p>9 different.</p> <p>10 Are some of these organizations Kraft</p> <p>11 competitors?</p> <p>12 <b>A. Kraft peers, as indicated by</b></p> <p>13 <b>"Peer Activity." Many of these are dairy, which</b></p> <p>14 <b>I didn't have any knowledge of, but yes.</b></p> <p>15 Q. Okay. When you use the term peer,</p> <p>16 Kraft or in your industry, would "peer" generally</p> <p>17 mean the same thing as "competitor" or would it</p> <p>18 mean something different?</p> <p>19 <b>A. I look at it as companies similar to</b></p> <p>20 <b>ours --</b></p> <p>21 Q. Okay.</p> <p>22 <b>A. -- in the food business.</b></p> <p>23 Q. Let's look at the -- and while we are</p> <p>24 on this page under "animal welfare," we see that</p> <p>25 several of these companies have an X by their</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

23 (Pages 86 to 89)

<p style="text-align: right;">86</p> <p>1 name, right, indicating?</p> <p>2 <b>A. Morgan &amp; Myers felt they were doing</b></p> <p>3 <b>something, some activity in animal welfare.</b></p> <p>4 Q. With respect to animal welfare.</p> <p>5 Let's look to the next page, which is a</p> <p>6 list of NGOs. This looks like a similar chart,</p> <p>7 except the organizations down the side are NGOs.</p> <p>8 Does that seem right to you?</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. Is it fair to say that animal welfare</p> <p>11 activity was a trend in the food industry in</p> <p>12 this -- in the, let's say, the period in the</p> <p>13 mid 2000s?</p> <p>14 <b>A. Explain, please.</b></p> <p>15 Q. Would you say that animal welfare activity</p> <p>16 was something that Kraft's customers, Kraft's</p> <p>17 peers and NGOs focused on the issue were paying</p> <p>18 more attention to in these last several years?</p> <p>19 <b>A. I think you would be safe in saying that,</b></p> <p>20 <b>yes.</b></p> <p>21 Q. Okay. And a lot of Kraft's peers were</p> <p>22 adopting animal welfare policies similar to the</p> <p>23 one that Kraft did?</p> <p>24 MS. ANSARI: Objection, form.</p> <p>25 <b>A. I can't guess what they would be doing,</b></p>	<p style="text-align: right;">88</p> <p>1 <b>concerns from our customers.</b></p> <p>2 BY MS. CLAIR:</p> <p>3 Q. Perfect. Okay. Let's look at -- my</p> <p>4 apologies.</p> <p>5 (Amundson Deposition Exhibit</p> <p>6 No. 19 marked for</p> <p>7 identification.)</p> <p>8 BY MS. CLAIR:</p> <p>9 Q. Okay. I'll hand you what we'll mark as</p> <p>10 Exhibit 19. This is KRA0000949. Once you've</p> <p>11 reviewed, would you let me know what this document</p> <p>12 is, if you know?</p> <p>13 <b>A. It's one of those questions that comes up</b></p> <p>14 <b>from our salesforce based on what they're seeing</b></p> <p>15 <b>in the marketplace.</b></p> <p>16 Q. Okay. So this email is raising a question</p> <p>17 from some personnel involved in Kraft salesforce?</p> <p>18 <b>A. Correct.</b></p> <p>19 Q. Okay. And what was coming up in the</p> <p>20 marketplace that's being discussed here in this</p> <p>21 email?</p> <p>22 <b>A. Well, as it says right here, Safeway</b></p> <p>23 <b>was coming under targeting based on controlled</b></p> <p>24 <b>atmosphere stunning of poultry.</b></p> <p>25 Q. So there's a --</p>
<p style="text-align: right;">87</p> <p>1 <b>other than the ones that put it on their website.</b></p> <p>2 BY MS. CLAIR:</p> <p>3 Q. That put it on their website? Okay.</p> <p>4 When you were working on Kraft's animal</p> <p>5 welfare task force, were you looking at what</p> <p>6 Kraft's peers were doing with respect to animal</p> <p>7 welfare?</p> <p>8 <b>A. I did not. We did look at McDonald's.</b></p> <p>9 Q. Okay.</p> <p>10 <b>A. And the ones who were going -- undergoing</b></p> <p>11 <b>some of the challenges.</b></p> <p>12 <b>But our competitors would be, like,</b></p> <p>13 <b>the Nestles and things like this. And during the</b></p> <p>14 <b>2004-2008 I did not look at those.</b></p> <p>15 Q. Okay. Did anyone else on the task force</p> <p>16 look at those policies?</p> <p>17 <b>A. The task force was -- well, I don't know.</b></p> <p>18 <b>I don't know if anyone else did.</b></p> <p>19 Q. Okay. Okay. Did the fact that other</p> <p>20 competitors of Kraft had animal welfare policies</p> <p>21 have any influence on Kraft's decision to develop</p> <p>22 one of its own?</p> <p>23 MS. ANSARI: Objection, form.</p> <p>24 <b>A. Not that I recall. We developed ours,</b></p> <p>25 <b>I believe, in case we would get questions or</b></p>	<p style="text-align: right;">89</p> <p>1 <b>A. Down here it says "...also increase</b></p> <p>2 <b>quantity of cage-free eggs."</b></p> <p>3 Q. So was Safeway adopting policies with</p> <p>4 respect to controlled-atmosphere killing and</p> <p>5 increased quantity cage-free eggs? Is that what's</p> <p>6 going on here?</p> <p>7 <b>A. I don't know what Safeway was doing.</b></p> <p>8 Q. Okay. Is that what this document</p> <p>9 indicates Safeway was doing?</p> <p>10 <b>A. It looks by this document from</b></p> <p>11 <b>Brian Giroux that he anticipated questions from</b></p> <p>12 <b>Safeway regarding how they slaughter poultry.</b></p> <p>13 Q. As you mentioned before, is Safeway a</p> <p>14 customer of Kraft?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. Yes.</p> <p>17 Okay. And William Paulos forwarded this</p> <p>18 email chain to you and some others on February 13,</p> <p>19 2008, right?</p> <p>20 <b>A. Uh-huh.</b></p> <p>21 Q. He notes "FYI more to come as the</p> <p>22 questions come our way."</p> <p>23 <b>A. Uh-huh.</b></p> <p>24 Q. Did you personally ever receive any</p> <p>25 followup questions from Safeway?</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

24 (Pages 90 to 93)

<p style="text-align: right;">90</p> <p>1 <b>A. I never received any questions from</b> 2 <b>Safeway.</b> 3 Q. Would that have been part of your job -- 4 <b>A. No.</b> 5 Q. -- to respond to those questions? Okay. 6 So if they came, they would have come 7 probably to somebody else? 8 <b>A. They would have come to somebody else in</b> 9 <b>the salesforce.</b> 10 Q. Okay. By 2008 could the salesforce have 11 referred Safeway to Kraft's established animal 12 welfare policy rather than having to go to you 13 for a lot of details? 14 <b>A. By 2008 I would think so. I know they</b> 15 <b>didn't come to me for details.</b> 16 Q. And Kraft had a formal animal welfare 17 policy by 2008, right? 18 <b>A. Yes.</b> 19 Q. Yes. Okay. 20 MS. CLAIR: That's all of my questions. 21 Does anyone on the phone have any followup 22 questions? 23 MS. MARKOWITZ: None here. 24 MR. CAMPBELL: Sharon, do you have any 25 questions?</p>	<p style="text-align: right;">92</p> <p>1 egg products? 2 <b>A. Once again, since I don't work there</b> 3 <b>anymore, and since the eggs are a different</b> 4 <b>division, I have no idea.</b> 5 Q. Okay. And as you sit there today, do you 6 have any understanding of why Kraft Foods has sued 7 my client, Rose Acre Farms, Inc.? 8 MS. ANSARI: Objection. To the extent 9 that the witness' understanding comes from 10 conversations with counsel, we instruct him not 11 to answer. He can answer as to his understanding 12 of -- outside of what he's received from counsel. 13 BY MR. MONICA: 14 Q. So with that instruction do you have any 15 understanding, sir? 16 <b>A. Not outside from what I've received from</b> 17 <b>counsel.</b> 18 MR. MONICA: Okay. That's all that I 19 have. Thank you. 20 MS. ANSARI: So we are going to have a 21 couple of questions. We just need a couple 22 minutes, a little bit of a break. 23 MS. CLAIR: Sure. 24 MS. ANSARI: Thank you. 25 THE VIDEOGRAPHER: Going off the record at</p>
<p style="text-align: right;">91</p> <p>1 MS. MARKOWITZ: Nope. 2 MR. CAMPBELL: Bill -- 3 MS. ANSARI: John. 4 MR. CAMPBELL: John I mean. 5 MR. MONICA: Yes, I have a couple of 6 questions. 7 MR. CAMPBELL: All right. Proceed. 8 MR. MONICA: I'll keep them very brief. 9 EXAMINATION 10 BY MR. MONICA: 11 Q. Mr. Amundson, my name is John Monica. I'm 12 from the Porter Wright law firm in Washington DC. 13 I represent Rose Acre Farms, Inc. 14 I'll ask you a couple of questions over 15 the phone. I'll try to make myself very clear. 16 If I'm not clear or you don't understand me, 17 please let me know. Okay? 18 <b>A. Okay.</b> 19 Q. Do you know if Kraft still purchases 20 UEP certified egg products from my client, 21 Rose Acre Farms, Inc.? 22 <b>A. I do not know if -- where we purchase eggs</b> 23 <b>from now.</b> 24 Q. Okay. Do you know if Kraft Foods -- 25 Kraft currently purchases only UEP certified</p>	<p style="text-align: right;">93</p> <p>1 11:06 a.m. 2 (Recess taken.) 3 THE VIDEOGRAPHER: We are back on the 4 record at 11:16 a.m. 5 EXAMINATION 6 BY MS. ANSARI: 7 Q. Mr. Amundson, I just have a couple of 8 questions for you. 9 Could you turn back to Exhibits 2, 3 and 10 4, Amundson 2, 3 and 4, that Ms. Clair asked you 11 about earlier today? 12 Sorry. I know that it might -- they're 13 kind of -- 14 <b>A. Sure.</b> 15 Q. They're in there. We could look at 16 2 first, 2, then 3, then 4. That's how we'll -- 17 <b>A. I have 3 and 4. I don't know where 2 is.</b> 18 <b>(Discussion held off the</b> 19 <b>record.)</b> 20 BY MS. ANSARI: 21 Q. Sorry to make you dig through everything. 22 <b>A. It's all right.</b> 23 Q. Is that 2? 24 <b>A. It's not here.</b> 25 Q. Here, I can help. Here, I'll look through</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

25 (Pages 94 to 97)

<p style="text-align: right;">94</p> <p>1 those.</p> <p>2 Is it maybe under the -- maybe I will show</p> <p>3 you a copy of mine.</p> <p>4 <b>A. Oh, wait a minute. No, it's not there.</b></p> <p>5 MS. ANSARI: Katie, do you have a clean</p> <p>6 copy of 2?</p> <p>7 THE WITNESS: Sorry about that.</p> <p>8 MS. ANSARI: I just wrote on mine, so I'd</p> <p>9 rather show him a clean copy.</p> <p>10 MS. CLAIR: Let's see if we have one,</p> <p>11 414698, right?</p> <p>12 MS. ANSARI: Oh, I found it.</p> <p>13 THE WITNESS: Thank you. Sorry.</p> <p>14 MS. ANSARI: No, it's fine.</p> <p>15 BY MS. ANSARI:</p> <p>16 Q. So Exhibit 2, as we established earlier,</p> <p>17 is a January 2004 draft animal welfare task force</p> <p>18 charter, correct?</p> <p>19 <b>A. Uh-huh.</b></p> <p>20 Q. Do you see any mention of eggs in that</p> <p>21 document?</p> <p>22 <b>A. No, I don't.</b></p> <p>23 Q. You can take a look at Exhibit 3.</p> <p>24 <b>A. Okay.</b></p> <p>25 Q. And this document, as we've established,</p>	<p style="text-align: right;">96</p> <p>1 Q. And the first line in the second paragraph</p> <p>2 states that "Rose Acre has been a big part of this</p> <p>3 program since its inception in 2002," correct?</p> <p>4 <b>A. Correct.</b></p> <p>5 Q. What did you understand this program to</p> <p>6 be?</p> <p>7 <b>A. I understood the program to be the</b></p> <p>8 <b>UEP animal welfare program.</b></p> <p>9 Q. Okay. Was it your understanding that</p> <p>10 Rose Acre started implementing the UEP program</p> <p>11 in 2002?</p> <p>12 <b>A. Based on what they said here, yes.</b></p> <p>13 MR. MONICA: Asked and answered.</p> <p>14 Go ahead.</p> <p>15 BY MS. ANSARI:</p> <p>16 Q. Sorry, can you repeat your answer?</p> <p>17 <b>A. The second line says "We have been a big</b></p> <p>18 <b>part of this program since its inception in 2002,"</b></p> <p>19 <b>so I would say yes.</b></p> <p>20 Q. Okay. And this letter was written</p> <p>21 sometime in May or June 2005, correct?</p> <p>22 <b>A. There should have been a date on there</b></p> <p>23 <b>somewhere.</b></p> <p>24 MS. CLAIR: Objection to form.</p> <p>25 <b>A. Yes. Well, okay.</b></p>
<p style="text-align: right;">95</p> <p>1 is as an April 28, 2005, animal welfare task force</p> <p>2 charter, correct?</p> <p>3 <b>A. Uh-huh.</b></p> <p>4 Q. Is there any mention of eggs in that</p> <p>5 document?</p> <p>6 <b>A. I do not see one.</b></p> <p>7 Q. And if you could take a look at Exhibit 4,</p> <p>8 a May 2, 2005, animal welfare task force charter,</p> <p>9 are there -- is there a mention of eggs in that</p> <p>10 document?</p> <p>11 <b>A. Yes, there is.</b></p> <p>12 Q. Okay. So is it fair to say that Kraft</p> <p>13 didn't begin to look into animal welfare for</p> <p>14 eggs until around May 2, 2005?</p> <p>15 MR. MONICA: Objection, calls for</p> <p>16 speculation, contradicts the documents.</p> <p>17 <b>A. It appears that way.</b></p> <p>18 BY MS. ANSARI:</p> <p>19 Q. Okay. If you could take a look at</p> <p>20 Exhibit 14.</p> <p>21 <b>A. Okay.</b></p> <p>22 Q. Can you -- the first sentence --</p> <p>23 Exhibit 14 is a letter from Rose Acre Farms</p> <p>24 that they sent to you, correct?</p> <p>25 <b>A. Uh-huh. Yes, it is.</b></p>	<p style="text-align: right;">97</p> <p>1 BY MS. ANSARI:</p> <p>2 Q. In May 2005 had Kraft adopted an animal</p> <p>3 welfare policy?</p> <p>4 <b>A. No.</b></p> <p>5 Q. Okay. So based on this letter,</p> <p>6 Exhibit 14, is it possible that Rose Acre</p> <p>7 adopted the UEP guidelines at the request of</p> <p>8 Kraft?</p> <p>9 MS. MARKOWITZ: Objection.</p> <p>10 <b>A. No, it would not be possible.</b></p> <p>11 BY MS. ANSARI:</p> <p>12 Q. Go ahead. And based on this letter,</p> <p>13 Exhibit 14, do you believe that Rose Acre adopted</p> <p>14 the UEP guidelines in reliance on Kraft's request</p> <p>15 that Rose Acre adopt those guidelines?</p> <p>16 MS. CLAIR: Objection, foundation.</p> <p>17 <b>A. We did not -- no. They could not have</b></p> <p>18 <b>adopted them based on Kraft's recommendation in</b></p> <p>19 <b>2002 to my knowledge.</b></p> <p>20 MS. ANSARI: Okay. I have no further</p> <p>21 questions.</p> <p>22 MR. MONICA: This is John. I have a</p> <p>23 couple of followups, if no one else does.</p> <p>24 MR. CAMPBELL: I think Katie has</p> <p>25 questions.</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

26 (Pages 98 to 101)

<p style="text-align: right;">98</p> <p>1 MS. CLAIR: I have just one followup, 2 John. 3 MR. MONICA: Go ahead. You go first. 4 FURTHER EXAMINATION 5 BY MS. CLAIR: 6 Q. Let's look back at Exhibit 2 that we were 7 just looking at. Let me know when you have that 8 one in front of you. 9 A. Yup. 10 Q. Does Exhibit 2 specifically mention meat? 11 A. <b>Well, turkey handling and slaughter.</b> 12 Q. Turkey handling and slaughter. 13 A. <b>"Meat suppliers" on the next line.</b> 14 Q. Okay. Okay. In the 2004 and 2005 time 15 frame, was egg procurement under the Oscar Mayer 16 meat procurement umbrella? 17 A. <b>I don't believe so, but I -- that would be</b> 18 <b>a question for the ingredients buyer.</b> 19 Q. Okay. Okay. 20 A. <b>I don't know the exact timing.</b> 21 MS. CLAIR: Okay. That's fine. 22 MS. ANSARI: John, do you have -- you have 23 a couple of questions? 24 MR. MONICA: Sure. 25</p>	<p style="text-align: right;">100</p> <p>1 Q. Do you have any reason to believe it 2 couldn't have been years earlier than that? 3 A. <b>When we started this, we had no -- there</b> 4 <b>was no idea that had been -- that anybody had been</b> 5 <b>looking into this ahead of time, this animal</b> 6 <b>welfare program.</b> 7 Q. So is it your testimony that prior to 2007 8 Kraft didn't have any interest in animal welfare 9 for egg-laying hens? 10 MS. ANSARI: Objection, form. 11 You can answer. 12 A. <b>There's -- before 2007 there was interest</b> 13 <b>because it was being discussed. We were trying to</b> 14 <b>figure out what our policies and what our policy</b> 15 <b>should be.</b> 16 <b>But was it in a contract? I don't think</b> 17 <b>so.</b> 18 BY MR. MONICA: 19 Q. Do you know if prior to 2007 Kraft ever 20 agreed to renegotiate any of its contracts with 21 Rose Acre? 22 A. <b>I don't know that.</b> 23 Q. If -- I'm sorry. Let me finish. It was a 24 long question so I paused. Let me ask it again. 25 Prior to 2007, do you know if Kraft ever</p>
<p style="text-align: right;">99</p> <p>1 FURTHER EXAMINATION 2 BY MR. MONICA: 3 Q. Mr. Amundson, do you know when Kraft 4 first had UEP certification requirements in its 5 contracts with Rose Acre? 6 A. <b>I've seen the document. I can't say I</b> 7 <b>know the time.</b> 8 Q. Do you know if it was as early as 2002? 9 A. <b>No, it would not have been then. Well,</b> 10 <b>no, I don't believe so. The proper person to</b> 11 <b>check with would be --</b> 12 Q. Do you know -- I'm sorry. Go ahead. 13 A. <b>The proper people to check with are the</b> 14 <b>buyers. I did not have knowledge or activity</b> 15 <b>related to contract formation.</b> 16 Q. So as you sit here today, you don't know 17 whether any of Kraft's contracts with Rose Acre 18 ever contained animal welfare requirements, do 19 you? 20 A. <b>I was informed secondhand that they had</b> 21 <b>finally gotten in there.</b> 22 Q. And by whom were you informed and when? 23 A. <b>Javier Maneses, and I don't know the date.</b> 24 Q. Do you know the approximate year? 25 A. <b>I'm going to guess 2007.</b></p>	<p style="text-align: right;">101</p> <p>1 renegotiated any of its contracts with Rose Acre 2 to pay them more -- pay Rose Acre more due to 3 increased production costs related to animal 4 welfare? 5 A. <b>I don't know what would have gone on in</b> 6 <b>the contract development.</b> 7 Q. So you don't know if Kraft ever made that 8 offer? 9 A. <b>I do not.</b> 10 Q. Or if they followed through with that? 11 A. <b>I do not.</b> 12 MR. MONICA: Okay. That's all I have. 13 Thank you. 14 MR. CAMPBELL: Sharon, are we correct that 15 you have no questions? 16 MS. MARKOWITZ: That's correct. Thanks. 17 MR. CAMPBELL: Okay. 18 MS. ANSARI: We are -- we have no further 19 questions. 20 MS. CLAIR: I think we're done. 21 THE VIDEOGRAPHER: Going off the record at 22 11:28 a.m. This concludes the videotaped 23 deposition of Mr. Amundson. 24 25</p>

## HIGHLY CONFIDENTIAL

Amundson, Curtis Miles

April 3, 2014

27 (Pages 102 to 104)

<p style="text-align: right;">102</p> <p>1                   ACKNOWLEDGMENT OF DEPONENT</p> <p>2</p> <p>3                   I, _____, do hereby</p> <p>4 acknowledge that I have read and examined the</p> <p>5 foregoing testimony, and the same is a true, correct</p> <p>6 and complete transcription of the testimony given by</p> <p>7 me, and any corrections appear on the attached Errata</p> <p>8 Sheet signed by me.</p> <p>9</p> <p>10</p> <p>11</p> <p>12                   _____ (DATE)                   (SIGNATURE)</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">104</p> <p>1                   the respective parties.</p> <p>2                   I further certify that the taking of this</p> <p>3 deposition was pursuant to Notice, and that there</p> <p>4 were present at the deposition the attorneys</p> <p>5 hereinbefore mentioned.</p> <p>6                   I further certify that I am not counsel for</p> <p>7 nor in any way related to the parties to this</p> <p>8 suit, nor am I in any way interested in the</p> <p>9 outcome thereof.</p> <p>10                  IN TESTIMONY WHEREOF: I have hereunto set my</p> <p>11 hand and affixed my notarial seal this 10th day of</p> <p>12 April, 2014.</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18                   _____ Notary Public, Cook County, Illinois</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">103</p> <p>1                   STATE OF ILLINOIS )</p> <p>2                   )   SS:</p> <p>3                   COUNTY OF C O O K )</p> <p>4                   I, Deralyn Gordon, a notary public within and</p> <p>5 for the County of Cook and State of Illinois, do</p> <p>6 hereby certify that heretofore, to-wit, on the</p> <p>7 3rd of April, 2014, personally appeared before me</p> <p>8 at 353 North Clark Street, Chicago, Illinois,</p> <p>9 CURTIS MILES AMUNDSON, in a cause now pending and</p> <p>10 undetermined in the United States District Court</p> <p>11 for the Eastern District of Pennsylvania,</p> <p>12 In Re: Processed Egg Products Antitrust</p> <p>13 Litigation.</p> <p>14                  I further certify that the said witness</p> <p>15 was first duly sworn to testify the truth, the</p> <p>16 whole truth and nothing but the truth in the cause</p> <p>17 aforesaid; that the testimony then given by said</p> <p>18 witness was reported stenographically by me in the</p> <p>19 presence of the said witness, and afterwards</p> <p>20 reduced to typewriting by Computer-Aided</p> <p>21 Transcription, and the foregoing is a true and</p> <p>22 correct transcript of the testimony so given by</p> <p>23 said witness as aforesaid.</p> <p>24                  I further certify that the signature to the</p> <p>25 foregoing deposition was not waived by counsel for</p>	

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